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Representative Johnson

Cosponsors: Representatives Hill, Hall, Adams, R., Brenner, Derickson,
Wachtmann, Combs, Hayes, Buchy, Boose, McClain, Goodwin, Thompson,
Conditt, Grossman, Maag, Sears, Damschroder, Hackett, Uecker, Young,
Adams, J., Bubp, Stautberg, Ruhl, DeVitis, Dovilla, Amstutz, Beck, Blair,
Hagan, C., Henne, Hottinger, Huffman, Kozlowski, Landis, Lynch, Martin,
Newbold, Pelanda, Roegner, Rosenberger, Scherer, Smith, Sprague,
Stebelton, Terhar Speaker Batchelder
Senators Faber, Balderson, Beagle, Burke, Coley, Eklund, Hite, Jordan,
Obhof, Patton, Peterson, Schaffer, Seitz, Wagoner

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A B I L L

To amend sections 105.41, 109.69, 109.731, 152.08,	1
311.41, 311.42, 1547.69, 2921.13, 2923.11,	2
2923.12, 2923.121, 2923.122, 2923.123, 2923.124,	3
2923.125, 2923.126, 2923.127, 2923.128, 2923.129,	4
2923.1210, 2923.1211, 2923.1213, 2923.16, and	5
2953.37 of the Revised Code to repeal the	6
competency certification currently required for	7
renewal of a concealed handgun license; to revise	8
the definition of "unloaded" that applies to the	9
offense of "improperly handling firearms in a	10
motor vehicle" and the related vessel-based	11
offense; to specify the authority of any person to	12
store a firearm in the Statehouse Underground	13
Parking Garage or the Riffe Center Parking Garage;	14
and to simplify, through the use of new	15

definitions, the law regarding concealed handgun 16
licenses. 17

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 105.41, 109.69, 109.731, 152.08, 18
311.41, 311.42, 1547.69, 2921.13, 2923.11, 2923.12, 2923.121, 19
2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 2923.127, 20
2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1213, 2923.16, and 21
2953.37 of the Revised Code be amended to read as follows: 22

Sec. 105.41. (A) There is hereby created in the legislative 23
branch of government the capitol square review and advisory board, 24
consisting of twelve members as follows: 25

(1) Two members of the senate, appointed by the president of 26
the senate, both of whom shall not be members of the same 27
political party; 28

(2) Two members of the house of representatives, appointed by 29
the speaker of the house of representatives, both of whom shall 30
not be members of the same political party; 31

(3) Four members appointed by the governor, with the advice 32
and consent of the senate, not more than three of whom shall be 33
members of the same political party, one of whom shall be the 34
chief of staff of the governor's office, one of whom shall 35
represent the Ohio arts council, one of whom shall represent the 36
Ohio historical society, and one of whom shall represent the 37
public at large; 38

(4) One member, who shall be a former president of the 39
senate, appointed by the current president of the senate. If the 40
current president of the senate, in the current president's 41
discretion, decides for any reason not to make the appointment or 42
if no person is eligible or available to serve, the seat shall 43

remain vacant. 44

(5) One member, who shall be a former speaker of the house of 45
representatives, appointed by the current speaker of the house of 46
representatives. If the current speaker of the house of 47
representatives, in the current speaker's discretion, decides for 48
any reason not to make the appointment or if no person is eligible 49
or available to serve, the seat shall remain vacant. 50

(6) The clerk of the senate and the clerk of the house of 51
representatives. 52

(B) Terms of office of each appointed member of the board 53
shall be for three years, except that members of the general 54
assembly appointed to the board shall be members of the board only 55
so long as they are members of the general assembly and the chief 56
of staff of the governor's office shall be a member of the board 57
only so long as the appointing governor remains in office. Each 58
member shall hold office from the date of the member's appointment 59
until the end of the term for which the member was appointed. In 60
case of a vacancy occurring on the board, the president of the 61
senate, the speaker of the house of representatives, or the 62
governor, as the case may be, shall in the same manner prescribed 63
for the regular appointment to the commission, fill the vacancy by 64
appointing a member. Any member appointed to fill a vacancy 65
occurring prior to the expiration of the term for which the 66
member's predecessor was appointed shall hold office for the 67
remainder of the term. Any appointed member shall continue in 68
office subsequent to the expiration date of the member's term 69
until the member's successor takes office, or until a period of 70
sixty days has elapsed, whichever occurs first. 71

(C) The board shall hold meetings in a manner and at times 72
prescribed by the rules adopted by the board. A majority of the 73
board constitutes a quorum, and no action shall be taken by the 74
board unless approved by at least six members or by at least seven 75

members if a person is appointed under division (A)(4) or (5) of 76
this section. At its first meeting, the board shall adopt rules 77
for the conduct of its business and the election of its officers, 78
and shall organize by selecting a chairperson and other officers 79
as it considers necessary. Board members shall serve without 80
compensation but shall be reimbursed for actual and necessary 81
expenses incurred in the performance of their duties. 82

(D) The board may do any of the following: 83

(1) Employ or hire on a consulting basis professional, 84
technical, and clerical employees as are necessary for the 85
performance of its duties. All employees of the board are in the 86
unclassified service and serve at the pleasure of the board. For 87
purposes of section 4117.01 of the Revised Code, employees of the 88
board shall be considered employees of the general assembly, 89
except that employees who are covered by a collective bargaining 90
agreement on September 29, 2011, shall remain subject to the 91
agreement until the agreement expires on its terms, and the 92
agreement shall not be extended or renewed. Upon expiration of the 93
agreement, the employees are considered employees of the general 94
assembly for purposes of section 4117.01 of the Revised Code and 95
are in the unclassified service and serve at the pleasure of the 96
board. 97

(2) Hold public hearings at times and places as determined by 98
the board; 99

(3) Adopt, amend, or rescind rules necessary to accomplish 100
the duties of the board as set forth in this section; 101

(4) Sponsor, conduct, and support such social events as the 102
board may authorize and consider appropriate for the employees of 103
the board, employees and members of the general assembly, 104
employees of persons under contract with the board or otherwise 105
engaged to perform services on the premises of capitol square, or 106

other persons as the board may consider appropriate. Subject to 107
the requirements of Chapter 4303. of the Revised Code, the board 108
may provide beer, wine, and intoxicating liquor, with or without 109
charge, for those events and may use funds only from the sale of 110
goods and services fund to purchase the beer, wine, and 111
intoxicating liquor the board provides; 112

(5) Purchase a warehouse in which to store items of the 113
capitol collection trust and, whenever necessary, equipment or 114
other property of the board. 115

(E) The board shall do all of the following: 116

(1) Have sole authority to coordinate and approve any 117
improvements, additions, and renovations that are made to the 118
capitol square. The improvements shall include, but not be limited 119
to, the placement of monuments and sculpture on the capitol 120
grounds. 121

(2) Subject to section 3353.07 of the Revised Code, operate 122
the capitol square, and have sole authority to regulate all uses 123
of the capitol square. The uses shall include, but not be limited 124
to, the casual and recreational use of the capitol square. 125

(3) Employ, fix the compensation of, and prescribe the duties 126
of the executive director of the board and other employees the 127
board considers necessary for the performance of its powers and 128
duties; 129

(4) Establish and maintain the capitol collection trust. The 130
capitol collection trust shall consist of furniture, antiques, and 131
other items of personal property that the board shall store in 132
suitable facilities until they are ready to be displayed in the 133
capitol square. 134

(5) Perform repair, construction, contracting, purchasing, 135
maintenance, supervisory, and operating activities the board 136
determines are necessary for the operation and maintenance of the 137

capitol square; 138

(6) Maintain and preserve the capitol square, in accordance 139
with guidelines issued by the United States secretary of the 140
interior for application of the secretary's standards for 141
rehabilitation adopted in 36 C.F.R. part 67; 142

(7) Plan and develop a center at the capitol building for the 143
purpose of educating visitors about the history of Ohio, including 144
its political, economic, and social development and the design and 145
erection of the capitol building and its grounds. 146

(F)(1) The board shall lease capital facilities improved or 147
financed by the Ohio building authority pursuant to Chapter 152. 148
of the Revised Code for the use of the board, and may enter into 149
any other agreements with the authority ancillary to improvement, 150
financing, or leasing of those capital facilities, including, but 151
not limited to, any agreement required by the applicable bond 152
proceedings authorized by Chapter 152. of the Revised Code. Any 153
lease of capital facilities authorized by this section shall be 154
governed by division (D) of section 152.24 of the Revised Code. 155

(2) Fees, receipts, and revenues received by the board from 156
the state underground parking garage constitute available receipts 157
as defined in section 152.09 of the Revised Code, and may be 158
pledged to the payment of bond service charges on obligations 159
issued by the Ohio building authority pursuant to Chapter 152. of 160
the Revised Code to improve, finance, or purchase capital 161
facilities useful to the board. The authority may, with the 162
consent of the board, provide in the bond proceedings for a pledge 163
of all or a portion of those fees, receipts, and revenues as the 164
authority determines. The authority may provide in the bond 165
proceedings or by separate agreement with the board for the 166
transfer of those fees, receipts, and revenues to the appropriate 167
bond service fund or bond service reserve fund as required to pay 168
the bond service charges when due, and any such provision for the 169

transfer of those fees, receipts, and revenues shall be 170
controlling notwithstanding any other provision of law pertaining 171
to those fees, receipts, and revenues. 172

(3) All moneys received by the treasurer of state on account 173
of the board and required by the applicable bond proceedings or by 174
separate agreement with the board to be deposited, transferred, or 175
credited to the bond service fund or bond service reserve fund 176
established by the bond proceedings shall be transferred by the 177
treasurer of state to such fund, whether or not it is in the 178
custody of the treasurer of state, without necessity for further 179
appropriation, upon receipt of notice from the Ohio building 180
authority as prescribed in the bond proceedings. 181

(G)(1) Except as otherwise provided in division (G)(2) of 182
this section, all fees, receipts, and revenues received by the 183
board from the state underground parking garage shall be deposited 184
into the state treasury to the credit of the underground parking 185
garage operating fund, which is hereby created, to be used for the 186
purposes specified in division (F) of this section and for the 187
operation and maintenance of the garage. All investment earnings 188
of the fund shall be credited to the fund. 189

(2) There is hereby created the parking garage automated 190
equipment fund, which shall be in the custody of the treasurer of 191
state but shall not be part of the state treasury. Money in the 192
fund shall be used to purchase the automated teller machine 193
quality dollar bills needed for operation of the parking garage 194
automated equipment. The fund shall consist of fees, receipts, or 195
revenues received by the board from the state underground parking 196
garage; provided, however, that the total amount deposited into 197
the fund at any one time shall not exceed ten thousand dollars. 198
All investment earnings of the fund shall be credited to the fund. 199

(H) All donations received by the board shall be deposited 200
into the state treasury to the credit of the capitol square 201

renovation gift fund, which is hereby created. The fund shall be 202
used by the board as follows: 203

(1) To provide part or all of the funding related to 204
construction, goods, or services for the renovation of the capitol 205
square; 206

(2) To purchase art, antiques, and artifacts for display at 207
the capitol square; 208

(3) To award contracts or make grants to organizations for 209
educating the public regarding the historical background and 210
governmental functions of the capitol square. Chapters 125., 127., 211
and 153. and section 3517.13 of the Revised Code do not apply to 212
purchases made exclusively from the fund, notwithstanding anything 213
to the contrary in those chapters or that section. All investment 214
earnings of the fund shall be credited to the fund. 215

(I) Except as provided in divisions (G), (H), and (J) of this 216
section, all fees, receipts, and revenues received by the board 217
shall be deposited into the state treasury to the credit of the 218
sale of goods and services fund, which is hereby created. Money 219
credited to the fund shall be used solely to pay costs of the 220
board other than those specified in divisions (F) and (G) of this 221
section. All investment earnings of the fund shall be credited to 222
the fund. 223

(J) There is hereby created in the state treasury the capitol 224
square improvement fund, to be used by the board to pay 225
construction, renovation, and other costs related to the capitol 226
square for which money is not otherwise available to the board. 227
Whenever the board determines that there is a need to incur those 228
costs and that the unencumbered, unobligated balance to the credit 229
of the underground parking garage operating fund exceeds the 230
amount needed for the purposes specified in division (F) of this 231
section and for the operation and maintenance of the garage, the 232

board may request the director of budget and management to 233
transfer from the underground parking garage operating fund to the 234
capitol square improvement fund the amount needed to pay such 235
construction, renovation, or other costs. The director then shall 236
transfer the amount needed from the excess balance of the 237
underground parking garage operating fund. 238

(K) As the operation and maintenance of the capitol square 239
constitute essential government functions of a public purpose, the 240
board shall not be required to pay taxes or assessments upon the 241
square, upon any property acquired or used by the board under this 242
section, or upon any income generated by the operation of the 243
square. 244

(L) As used in this section, "capitol square" means the 245
capitol building, senate building, capitol atrium, capitol 246
grounds, the state underground parking garage, and the warehouse 247
owned by the board. 248

(M) The capitol annex shall be known as the senate building. 249

(N) Any person may possess a firearm in a motor vehicle in 250
the state underground parking garage at the state capitol 251
building, if the person's possession of the firearm in the motor 252
vehicle is not in violation of section 2923.16 of the Revised Code 253
or any other provision of the Revised Code. Any person may store 254
or leave a firearm in a locked motor vehicle that is parked in the 255
state underground parking garage at the state capitol building, if 256
the person's transportation and possession of the firearm in the 257
motor vehicle while traveling to the garage was not in violation 258
of section 2923.16 of the Revised Code or any other provision of 259
the Revised Code. 260

Sec. 109.69. (A)(1) The attorney general shall negotiate and 261
enter into a reciprocity agreement with any other license-issuing 262
state under which a ~~license to carry a~~ concealed handgun license 263

that is issued by the other state is recognized in this state if 264
the attorney general determines that both of the following apply: 265

(a) The eligibility requirements imposed by that 266
license-issuing state for that license are substantially 267
comparable to the eligibility requirements for ~~a license to carry~~ 268
a concealed handgun license issued under section 2923.125 of the 269
Revised Code. 270

(b) That license-issuing state recognizes a concealed handgun 271
~~license to carry a concealed handgun~~ issued under section 2923.125 272
of the Revised Code. 273

(2) A reciprocity agreement entered into under division 274
(A)(1) of this section also may provide for the recognition in 275
this state of a ~~license to carry a~~ concealed handgun license 276
issued on a temporary or emergency basis by the other 277
license-issuing state, if the eligibility requirements imposed by 278
that license-issuing state for the temporary or emergency license 279
are substantially comparable to the eligibility requirements for a 280
~~license or temporary emergency license to carry a~~ concealed 281
handgun license issued under section 2923.125 or 2923.1213 of the 282
Revised Code and if that license-issuing state recognizes a 283
~~temporary emergency license to carry a~~ concealed handgun license 284
issued under section 2923.1213 of the Revised Code. 285

(3) The attorney general shall not negotiate any agreement 286
with any other license-issuing state under which ~~a license to~~ 287
~~carry~~ a concealed handgun ~~that is~~ license issued by the other 288
state is recognized in this state other than as provided in 289
divisions (A)(1) and (2) of this section. 290

(B) As used in this section: 291

(1) "Handgun" ~~has~~ and "concealed handgun license" have the 292
same ~~meaning~~ meanings as in section 2923.11 of the Revised Code. 293

(2) "License-issuing state" means a state other than this 294
state that, pursuant to law, provides for the issuance of a 295
license to carry a concealed handgun. 296

Sec. 109.731. (A) The Ohio peace officer training commission 297
shall prescribe, and shall make available to sheriffs, all of the 298
following: 299

(1) An application form that is to be used under section 300
2923.125 of the Revised Code by a person who applies for a ~~license~~ 301
~~to carry a concealed handgun~~ license and an application form that 302
is to be used under section 2923.125 of the Revised Code by a 303
person who applies for the renewal of a license of that nature, 304
both of which shall conform substantially to the forms prescribed 305
in section 2923.1210 of the Revised Code; 306

(2) A form for the ~~license to carry a concealed handgun~~ 307
license that is to be issued by sheriffs to persons who qualify 308
for a ~~license to carry a concealed handgun~~ license under section 309
2923.125 of the Revised Code and that conforms to the following 310
requirements: 311

(a) It has space for the licensee's full name, residence 312
address, and date of birth and for a color photograph of the 313
licensee. 314

(b) It has space for the date of issuance of the license, its 315
expiration date, its county of issuance, the name of the sheriff 316
who issues the license, and the unique combination of letters and 317
numbers that identify the county of issuance and the license given 318
to the licensee by the sheriff in accordance with division (A)(4) 319
of this section. 320

(c) It has space for the signature of the licensee and the 321
signature or a facsimile signature of the sheriff who issues the 322
license. 323

(d) It does not require the licensee to include serial 324
numbers of handguns, other identification related to handguns, or 325
similar data that is not pertinent or relevant to obtaining the 326
license and that could be used as a de facto means of registration 327
of handguns owned by the licensee. 328

(3) A series of three-letter county codes that identify each 329
county in this state; 330

(4) A procedure by which a sheriff shall give each concealed 331
handgun license, replacement concealed handgun license, or renewal 332
concealed handgun license ~~to carry a concealed handgun~~ and each 333
~~temporary emergency~~ concealed handgun license on a temporary 334
emergency basis or replacement ~~temporary emergency~~ license ~~to~~ 335
~~carry a concealed handgun on a temporary emergency basis~~ the 336
sheriff issues under section 2923.125 or 2923.1213 of the Revised 337
Code a unique combination of letters and numbers that identifies 338
the county in which the license ~~or temporary emergency license~~ was 339
issued and that uses the county code and a unique number for each 340
license ~~and each temporary emergency license~~ the sheriff of that 341
county issues; 342

(5) A form for ~~the temporary emergency license to carry a~~ 343
concealed handgun license on a temporary emergency basis that is 344
to be issued by sheriffs to persons who qualify for such a 345
~~temporary emergency~~ license under section 2923.1213 of the Revised 346
Code, which form shall conform to all the requirements set forth 347
in divisions (A)(2)(a) to (d) of this section and shall 348
additionally conspicuously specify that the license is issued on a 349
temporary emergency ~~license~~ basis and the date of its issuance. 350

(B)(1) The Ohio peace officer training commission, in 351
consultation with the attorney general, shall prepare a pamphlet 352
that does all of the following, in everyday language: 353

(a) Explains the firearms laws of this state; 354

(b) Instructs the reader in dispute resolution and explains 355
the laws of this state related to that matter; 356

(c) Provides information to the reader regarding all aspects 357
of the use of deadly force with a firearm, including, but not 358
limited to, the steps that should be taken before contemplating 359
the use of, or using, deadly force with a firearm, possible 360
alternatives to using deadly force with a firearm, and the law 361
governing the use of deadly force with a firearm. 362

(2) The attorney general shall consult with and assist the 363
commission in the preparation of the pamphlet described in 364
division (B)(1) of this section and, as necessary, shall recommend 365
to the commission changes in the pamphlet to reflect changes in 366
the law that are relevant to it. The attorney general shall 367
publish the pamphlet on the web site of the attorney general and 368
shall provide the address of the web site to any person who 369
requests the pamphlet. 370

(C) The Ohio peace officer training commission shall maintain 371
statistics with respect to the issuance, renewal, suspension, 372
revocation, and denial of ~~licenses to carry a~~ concealed handgun 373
licenses under section 2923.125 of the Revised Code and the 374
suspension of processing of applications for those licenses, and 375
with respect to the issuance, suspension, revocation, and denial 376
of ~~temporary emergency licenses to carry a~~ concealed handgun 377
licenses on a temporary emergency basis under section 2923.1213 of 378
the Revised Code, as reported by the sheriffs pursuant to division 379
(C) of section 2923.129 of the Revised Code. Not later than the 380
first day of March in each year, the commission shall submit a 381
statistical report to the governor, the president of the senate, 382
and the speaker of the house of representatives indicating the 383
number of ~~licenses to carry a~~ concealed handgun licenses that were 384
issued, renewed, suspended, revoked, and denied under section 385
2923.125 of the Revised Code in the previous calendar year, the 386

number of applications for those licenses for which processing was 387
suspended in accordance with division (D)(3) of that section 388
~~2923.125 of the Revised Code~~ in the previous calendar year, and 389
the number of ~~temporary emergency licenses to carry a~~ concealed 390
handgun licenses on a temporary emergency basis that were issued, 391
suspended, revoked, or denied under section 2923.1213 of the 392
Revised Code in the previous calendar year. Nothing in the 393
statistics or the statistical report shall identify, or enable the 394
identification of, any individual who was issued or denied a 395
license, for whom a license was renewed, whose license was 396
suspended or revoked, or for whom application processing was 397
suspended. The statistics and the statistical report are public 398
records for the purpose of section 149.43 of the Revised Code. 399

(D) As used in this section, "concealed handgun license" and 400
"handgun" ~~has~~ have the same ~~meaning~~ meanings as in section 2923.11 401
of the Revised Code. 402

Sec. 152.08. (A) The Ohio building authority may: 403

(1) Acquire, by gift, grant, or purchase, and hold and 404
mortgage, real estate and interests therein and personal property 405
suitable for its purposes, provided that no land used by the 406
authority pursuant to section 152.05 of the Revised Code shall be 407
mortgaged by the authority; 408

(2) Purchase, construct, reconstruct, equip, furnish, 409
improve, alter, enlarge, maintain, repair, and operate buildings, 410
facilities, and other properties for the purposes set forth in 411
section 152.04 of the Revised Code. The authority shall construct, 412
operate, and maintain its buildings, facilities, and other 413
properties in a healthy, safe, and sanitary manner. 414

(3) Issue revenue bonds to secure funds to accomplish its 415
purposes, the principal of and interest on and all other payments 416
required to be made by the trust agreement or indenture securing 417

such bonds to be paid solely from revenues accruing to the 418
authority through the operation of its buildings, facilities, and 419
other properties; 420

(4) Enter into contracts and execute all instruments 421
necessary in the conduct of its business; 422

(5) Fix, alter, and charge rentals and other charges for the 423
use and occupancy of its buildings, facilities, and other 424
properties and enter into leases with the persons specified in 425
section 152.04 of the Revised Code; 426

(6) Employ financial consultants, appraisers, consulting 427
engineers, architects, superintendents, managers, construction and 428
accounting experts, attorneys-at-law, and other employees and 429
agents as are necessary, in its judgment, and fix their 430
compensation; 431

(7) Provide for the persons occupying its buildings, 432
facilities, and other properties, health clinics, medical 433
services, food services, and such other services as such persons 434
cannot provide for themselves; and, if the authority determines 435
that it is more advantageous, it may enter into contracts with 436
persons, firms, or corporations or with any governmental agency, 437
board, commission, or department to provide any of such clinics or 438
services; 439

(8) Pledge, hypothecate, or otherwise encumber such of its 440
rentals or other charges as may be agreed as security for its 441
obligations, and enter into trust agreements or indentures for the 442
benefit of its bondholders; 443

(9) Borrow money or accept advances, loans, gifts, grants, 444
devises, or bequests from, and enter into contracts or agreements 445
with, any federal agency or other governmental or private source, 446
and hold and apply advances, loans, gifts, grants, devises, or 447
bequests according to the terms thereof. Such advances, loans, 448

gifts, grants, or devises of real estate may be in fee simple or 449
of any lesser estate and may be subject to any reasonable 450
reservations. Any advances or loans received from any federal or 451
other governmental or private source may be repaid in accordance 452
with the terms of such advance or loan. 453

(10) Conduct investigations into housing and living 454
conditions in order to be able to purchase, construct, or 455
reconstruct suitable buildings and facilities to fulfill its 456
purpose, and determine the best locations within the state for its 457
buildings, facilities, and other properties; 458

(11) Enter into lawful arrangements with the appropriate 459
federal or state department or agency, county, township, municipal 460
government, or other political subdivision, or public agency for 461
the planning and installation of streets, roads, alleys, public 462
parks and recreation areas, public utility facilities, and other 463
necessary appurtenances to its projects; 464

(12) Purchase fire, extended coverage, and liability 465
insurance for its property, and insurance covering the authority 466
and its officers and employees for liability for damage or injury 467
to persons or property; 468

(13) Sell, lease, release, or otherwise dispose of property 469
owned by the authority and not needed for the purposes of the 470
authority and grant such easements across the property of the 471
authority as will not interfere with its use of its property; 472

(14) Establish rules and regulations for the use and 473
operation of its buildings, facilities, and other properties; 474

(15) Do all other acts necessary to the fulfillment of its 475
purposes. 476

(B) Any instrument by which real property is acquired 477
pursuant to this section shall identify the agency of the state 478
that has the use and benefit of the real property as specified in 479

section 5301.012 of the Revised Code. 480

(C) Any person may possess a firearm in a motor vehicle in 481
the parking garage at the Riffe center for government and the arts 482
in Columbus, if the person's possession of the firearm in the 483
motor vehicle is not in violation of section 2923.16 of the 484
Revised Code or any other provision of the Revised Code. Any 485
person may store or leave a firearm in a locked motor vehicle that 486
is parked in the parking garage at the Riffe center for government 487
and the arts in Columbus, if the person's transportation and 488
possession of the firearm in the motor vehicle while traveling to 489
the garage was not in violation of section 2923.16 of the Revised 490
Code or any other provision of the Revised Code. 491

Sec. 311.41. (A)(1) Upon receipt of an application for a 492
~~license to carry a~~ concealed handgun license under division (C) of 493
section 2923.125 of the Revised Code, an application to renew a 494
~~license to carry a~~ concealed handgun license under division (F) of 495
that section, or an application for a ~~temporary emergency license~~ 496
~~to carry a~~ concealed handgun license on a temporary emergency 497
basis under section 2923.1213 of the Revised Code, the sheriff 498
shall conduct a criminal records check and an incompetency check 499
of the applicant to determine whether the applicant fails to meet 500
the criteria described in division (D)(1) of section 2923.125 of 501
the Revised Code. The sheriff shall conduct the criminal records 502
check and the incompetency records check required by this division 503
through use of an electronic fingerprint reading device or, if the 504
sheriff does not possess and does not have ready access to the use 505
of an electronic fingerprint reading device, by requesting the 506
bureau of criminal identification and investigation to conduct the 507
checks as described in this division. 508

In order to conduct the criminal records check and the 509
incompetency records check, the sheriff shall obtain the 510

fingerprints of at least four fingers of the applicant by using an 511
electronic fingerprint reading device for the purpose of 512
conducting the criminal records check and the incompetency records 513
check or, if the sheriff does not possess and does not have ready 514
access to the use of an electronic fingerprint reading device, 515
shall obtain from the applicant a completed standard fingerprint 516
impression sheet prescribed pursuant to division (C)(2) of section 517
109.572 of the Revised Code. The fingerprints so obtained, along 518
with the applicant's social security number, shall be used to 519
conduct the criminal records check and the incompetency records 520
check. If the sheriff does not use an electronic fingerprint 521
reading device to obtain the fingerprints and conduct the records 522
checks, the sheriff shall submit the completed standard 523
fingerprint impression sheet of the applicant, along with the 524
applicant's social security number, to the superintendent of the 525
bureau of criminal identification and investigation and shall 526
request the bureau to conduct the criminal records check and the 527
incompetency records check of the applicant and, if necessary, 528
shall request the superintendent of the bureau to obtain 529
information from the federal bureau of investigation as part of 530
the criminal records check for the applicant. If it is not 531
possible to use an electronic fingerprint reading device to 532
conduct an incompetency records check, the sheriff shall submit 533
the completed standard fingerprint impression sheet of the 534
applicant, along with the applicant's social security number, to 535
the superintendent of the bureau of criminal identification and 536
investigation and shall request the bureau to conduct the 537
incompetency records check. The sheriff shall not retain the 538
applicant's fingerprints as part of the application. 539

(2) Except as otherwise provided in this division, if at any 540
time the applicant decides not to continue with the application 541
process, the sheriff immediately shall cease any investigation 542
that is being conducted under division (A)(1) of this section. The 543

sheriff shall not cease that investigation if, at the time of the
applicant's decision not to continue with the application process,
the sheriff had determined from any of the sheriff's
investigations that the applicant then was engaged in activity of
a criminal nature.

(B) If a criminal records check and an incompetency records
check conducted under division (A) of this section do not indicate
that the applicant fails to meet the criteria described in
division (D)(1) of section 2923.125 of the Revised Code, except as
otherwise provided in this division, the sheriff shall destroy or
cause a designated employee to destroy all records other than the
application for a ~~license to carry a~~ concealed handgun license,
the application to renew a ~~license to carry a~~ concealed handgun
license, or the affidavit submitted regarding an application for a
~~temporary emergency license to carry a~~ concealed handgun license
on a temporary emergency basis that were made in connection with
the criminal records check and incompetency records check within
twenty days after conducting the criminal records check and
incompetency records check. If an applicant appeals a denial of an
application as described in division (D)(2) of section 2923.125 of
the Revised Code or challenges the results of a criminal records
check pursuant to section 2923.127 of the Revised Code, records of
fingerprints of the applicant shall not be destroyed during the
pendency of the appeal or the challenge and review. When an
applicant appeals a denial as described in that division, the
twenty-day period described in this division commences regarding
the fingerprints upon the determination of the appeal. When
required as a result of a challenge and review performed pursuant
to section 2923.127 of the Revised Code, the source the sheriff
used in conducting the criminal records check shall destroy or the
chief operating officer of the source shall cause an employee of
the source designated by the chief to destroy all records other
than the application for a ~~license to carry a~~ concealed handgun

license, the application to renew a ~~license to carry a~~ concealed 577
handgun license, or the affidavit submitted regarding an 578
application for a ~~temporary emergency license to carry a~~ concealed 579
handgun license on a temporary emergency basis that were made in 580
connection with the criminal records check within twenty days 581
after completion of that challenge and review. 582

(C) If division (B) of this section applies to a particular 583
criminal records check or incompetency records check, no sheriff, 584
employee of a sheriff designated by the sheriff to destroy records 585
under that division, source the sheriff used in conducting the 586
criminal records check or incompetency records check, or employee 587
of the source designated by the chief operating officer of the 588
source to destroy records under that division shall fail to 589
destroy or cause to be destroyed within the applicable twenty-day 590
period specified in that division all records other than the 591
application for a ~~license to carry a~~ concealed handgun license, 592
the application to renew a ~~license to carry a~~ concealed handgun 593
license, or the affidavit submitted regarding an application for a 594
~~temporary emergency license to carry a~~ concealed handgun license 595
on a temporary emergency basis made in connection with the 596
particular criminal records check or incompetency records check. 597

(D) Whoever violates division (C) of this section is guilty 598
of failure to destroy records, a misdemeanor of the second degree. 599

(E) As used in this section, "concealed handgun license" and 600
"handgun" ~~has~~ have the same ~~meaning~~ meanings as in section 2923.11 601
of the Revised Code. 602

Sec. 311.42. (A) Each county shall establish in the county 603
treasury a sheriff's concealed handgun license issuance expense 604
fund. The sheriff of that county shall deposit into that fund all 605
fees paid by applicants for the issuance or renewal of a concealed 606
handgun license or duplicate concealed handgun license ~~to carry a~~ 607

~~concealed handgun~~ under section 2923.125 of the Revised Code and 608
all fees paid by the person seeking a ~~temporary emergency license~~ 609
~~to carry a~~ concealed handgun license on a temporary emergency 610
basis under section 2923.1213 of the Revised Code. The county 611
shall distribute all fees deposited into the fund except forty 612
dollars of each fee paid by an applicant under division (B) of 613
section 2923.125 of the Revised Code, fifteen dollars of each fee 614
paid under section 2923.1213 of the Revised Code, and thirty-five 615
dollars of each fee paid under division (F) of section 2923.125 of 616
the Revised Code to the attorney general to be used to pay the 617
cost of background checks performed by the bureau of criminal 618
identification and investigation and the federal bureau of 619
investigation and to cover administrative costs associated with 620
issuing the license. 621

(B) The sheriff, with the approval of the board of county 622
commissioners, may expend any county portion of the fees deposited 623
into the sheriff's concealed handgun license issuance expense fund 624
for any costs incurred by the sheriff in connection with 625
performing any administrative functions related to the issuance of 626
~~licenses or temporary emergency licenses to carry a~~ concealed 627
handgun licenses under section 2923.125 or 2923.1213 of the 628
Revised Code, including, but not limited to, personnel expenses 629
and the costs of any handgun safety education program that the 630
sheriff chooses to fund. Additionally, the sheriff, with the 631
approval of the board of county commissioners, may expend any 632
county portion of the fees deposited into the sheriff's concealed 633
handgun license issuance expense fund for costs of ammunition used 634
in a course, class, or program administered by the sheriff for a 635
concealed handgun license. 636

Sec. 1547.69. (A) As used in this section: 637

(1) "Firearm," ~~and~~ "concealed handgun license," "handgun," 638

and "valid concealed handgun license" have the same meanings as in 639
section 2923.11 of the Revised Code. 640

(2) "Unloaded" has the same ~~meaning~~ meanings as in divisions 641
(K)(5) and (6) of section 2923.16 of the Revised Code, except that 642
all references in the definition in division (K)(5) of that 643
section to "vehicle" shall be construed for purposes of this 644
section to be references to "vessel." 645

(B) No person shall knowingly discharge a firearm while in or 646
on a vessel. 647

(C) No person shall knowingly transport or have a loaded 648
firearm in a vessel in a manner that the firearm is accessible to 649
the operator or any passenger. 650

(D) No person shall knowingly transport or have a firearm in 651
a vessel unless it is unloaded and is carried in one of the 652
following ways: 653

(1) In a closed package, box, or case; 654

(2) In plain sight with the action opened or the weapon 655
stripped, or, if the firearm is of a type on which the action will 656
not stay open or that cannot easily be stripped, in plain sight. 657

(E)(1) The affirmative defenses authorized in divisions 658
(D)(1) and (2) of section 2923.12 of the Revised Code are 659
affirmative defenses to a charge under division (C) or (D) of this 660
section that involves a firearm other than a handgun. It is an 661
affirmative defense to a charge under division (C) or (D) of this 662
section of transporting or having a firearm of any type, including 663
a handgun, in a vessel that the actor transported or had the 664
firearm in the vessel for any lawful purpose and while the vessel 665
was on the actor's own property, provided that this affirmative 666
defense is not available unless the actor, prior to arriving at 667
the vessel on the actor's own property, did not transport or 668
possess the firearm in the vessel or in a motor vehicle in a 669

manner prohibited by this section or division (B) or (C) of 670
section 2923.16 of the Revised Code while the vessel was being 671
operated on a waterway that was not on the actor's own property or 672
while the motor vehicle was being operated on a street, highway, 673
or other public or private property used by the public for 674
vehicular traffic. 675

(2) No person who is charged with a violation of division (C) 676
or (D) of this section shall be required to obtain a license or 677
temporary emergency license to carry a concealed handgun under 678
section 2923.125 or 2923.1213 of the Revised Code as a condition 679
for the dismissal of the charge. 680

(F) Divisions (B), (C), and (D) of this section do not apply 681
to the possession or discharge of a United States coast guard 682
approved signaling device required to be carried aboard a vessel 683
under section 1547.251 of the Revised Code when the signaling 684
device is possessed or used for the purpose of giving a visual 685
distress signal. No person shall knowingly transport or possess 686
any signaling device of that nature in or on a vessel in a loaded 687
condition at any time other than immediately prior to the 688
discharge of the signaling device for the purpose of giving a 689
visual distress signal. 690

(G) No person shall operate or permit to be operated any 691
vessel on the waters in this state in violation of this section. 692

(H)(1) This section does not apply to any of the following: 693

(a) An officer, agent, or employee of this or any other state 694
or of the United States, or to a law enforcement officer, when 695
authorized to carry or have loaded or accessible firearms in a 696
vessel and acting within the scope of the officer's, agent's, or 697
employee's duties; 698

(b) Any person who is employed in this state, who is 699
authorized to carry or have loaded or accessible firearms in a 700

vessel, and who is subject to and in compliance with the 701
requirements of section 109.801 of the Revised Code, unless the 702
appointing authority of the person has expressly specified that 703
the exemption provided in division (H)(1)(b) of this section does 704
not apply to the person; 705

(c) Any person legally engaged in hunting. 706

(2) Divisions (C) and (D) of this section do not apply to a 707
person who transports or possesses a handgun in a vessel and who, 708
at the time of that transportation or possession, is carrying a 709
~~valid license or temporary emergency license to carry a concealed~~ 710
~~handgun issued to the person under section 2923.125 or 2923.1213~~ 711
~~of the Revised Code or a license to carry a concealed handgun that~~ 712
~~was issued by another state with which the attorney general has~~ 713
~~entered into a reciprocity agreement under section 109.69 of the~~ 714
Revised Code license, unless the person knowingly is in a place on 715
the vessel described in division (B) of section 2923.126 of the 716
Revised Code. 717

(I) If a law enforcement officer stops a vessel for a 718
violation of this section or any other law enforcement purpose, if 719
any person on the vessel surrenders a firearm to the officer, 720
either voluntarily or pursuant to a request or demand of the 721
officer, and if the officer does not charge the person with a 722
violation of this section or arrest the person for any offense, 723
the person is not otherwise prohibited by law from possessing the 724
firearm, and the firearm is not contraband, the officer shall 725
return the firearm to the person at the termination of the stop. 726

(J) Division (L) of section 2923.16 of the Revised Code 727
applies with respect to division (A)(2) of this section, except 728
that all references in division (L) of section 2923.16 of the 729
Revised Code to "vehicle," to "this chapter," or to "division 730
(K)(5)(a) or (b) of this section" shall be construed for purposes 731
of this section to be, respectively, references to "vessel," to 732

"section 1547.69 of the Revised Code," and to divisions (K)(5)(a) 733
and (b) of section 2923.16 of the Revised Code as incorporated 734
under the definition of firearm adopted under division (A)(2) of 735
this section. 736

Sec. 2921.13. (A) No person shall knowingly make a false 737
statement, or knowingly swear or affirm the truth of a false 738
statement previously made, when any of the following applies: 739

(1) The statement is made in any official proceeding. 740

(2) The statement is made with purpose to incriminate 741
another. 742

(3) The statement is made with purpose to mislead a public 743
official in performing the public official's official function. 744

(4) The statement is made with purpose to secure the payment 745
of unemployment compensation; Ohio works first; prevention, 746
retention, and contingency benefits and services; disability 747
financial assistance; retirement benefits; economic development 748
assistance, as defined in section 9.66 of the Revised Code; or 749
other benefits administered by a governmental agency or paid out 750
of a public treasury. 751

(5) The statement is made with purpose to secure the issuance 752
by a governmental agency of a license, permit, authorization, 753
certificate, registration, release, or provider agreement. 754

(6) The statement is sworn or affirmed before a notary public 755
or another person empowered to administer oaths. 756

(7) The statement is in writing on or in connection with a 757
report or return that is required or authorized by law. 758

(8) The statement is in writing and is made with purpose to 759
induce another to extend credit to or employ the offender, to 760
confer any degree, diploma, certificate of attainment, award of 761
excellence, or honor on the offender, or to extend to or bestow 762

upon the offender any other valuable benefit or distinction, when 763
the person to whom the statement is directed relies upon it to 764
that person's detriment. 765

(9) The statement is made with purpose to commit or 766
facilitate the commission of a theft offense. 767

(10) The statement is knowingly made to a probate court in 768
connection with any action, proceeding, or other matter within its 769
jurisdiction, either orally or in a written document, including, 770
but not limited to, an application, petition, complaint, or other 771
pleading, or an inventory, account, or report. 772

(11) The statement is made on an account, form, record, 773
stamp, label, or other writing that is required by law. 774

(12) The statement is made in connection with the purchase of 775
a firearm, as defined in section 2923.11 of the Revised Code, and 776
in conjunction with the furnishing to the seller of the firearm of 777
a fictitious or altered driver's or commercial driver's license or 778
permit, a fictitious or altered identification card, or any other 779
document that contains false information about the purchaser's 780
identity. 781

(13) The statement is made in a document or instrument of 782
writing that purports to be a judgment, lien, or claim of 783
indebtedness and is filed or recorded with the secretary of state, 784
a county recorder, or the clerk of a court of record. 785

(14) The statement is made in an application filed with a 786
county sheriff pursuant to section 2923.125 of the Revised Code in 787
order to obtain or renew a ~~license to carry a~~ concealed handgun 788
license or is made in an affidavit submitted to a county sheriff 789
to obtain a ~~temporary emergency license to carry a~~ concealed 790
handgun license on a temporary emergency basis under section 791
2923.1213 of the Revised Code. 792

(15) The statement is required under section 5743.71 of the 793

Revised Code in connection with the person's purchase of 794
cigarettes or tobacco products in a delivery sale. 795

(B) No person, in connection with the purchase of a firearm, 796
as defined in section 2923.11 of the Revised Code, shall knowingly 797
furnish to the seller of the firearm a fictitious or altered 798
driver's or commercial driver's license or permit, a fictitious or 799
altered identification card, or any other document that contains 800
false information about the purchaser's identity. 801

(C) No person, in an attempt to obtain a ~~license to carry a~~ 802
concealed handgun license under section 2923.125 of the Revised 803
Code, shall knowingly present to a sheriff a fictitious or altered 804
document that purports to be certification of the person's 805
competence in handling a handgun as described in division (B)(3) 806
of that section ~~2923.125 of the Revised Code~~. 807

(D) It is no defense to a charge under division (A)(6) of 808
this section that the oath or affirmation was administered or 809
taken in an irregular manner. 810

(E) If contradictory statements relating to the same fact are 811
made by the offender within the period of the statute of 812
limitations for falsification, it is not necessary for the 813
prosecution to prove which statement was false but only that one 814
or the other was false. 815

(F)(1) Whoever violates division (A)(1), (2), (3), (4), (5), 816
(6), (7), (8), (10), (11), (13), or (15) of this section is guilty 817
of falsification, a misdemeanor of the first degree. 818

(2) Whoever violates division (A)(9) of this section is 819
guilty of falsification in a theft offense. Except as otherwise 820
provided in this division, falsification in a theft offense is a 821
misdemeanor of the first degree. If the value of the property or 822
services stolen is one thousand dollars or more and is less than 823
seven thousand five hundred dollars, falsification in a theft 824

offense is a felony of the fifth degree. If the value of the 825
property or services stolen is seven thousand five hundred dollars 826
or more and is less than one hundred fifty thousand dollars, 827
falsification in a theft offense is a felony of the fourth degree. 828
If the value of the property or services stolen is one hundred 829
fifty thousand dollars or more, falsification in a theft offense 830
is a felony of the third degree. 831

(3) Whoever violates division (A)(12) or (B) of this section 832
is guilty of falsification to purchase a firearm, a felony of the 833
fifth degree. 834

(4) Whoever violates division (A)(14) or (C) of this section 835
is guilty of falsification to obtain a concealed handgun license, 836
a felony of the fourth degree. 837

(G) A person who violates this section is liable in a civil 838
action to any person harmed by the violation for injury, death, or 839
loss to person or property incurred as a result of the commission 840
of the offense and for reasonable attorney's fees, court costs, 841
and other expenses incurred as a result of prosecuting the civil 842
action commenced under this division. A civil action under this 843
division is not the exclusive remedy of a person who incurs 844
injury, death, or loss to person or property as a result of a 845
violation of this section. 846

Sec. 2923.11. As used in sections 2923.11 to 2923.24 of the 847
Revised Code: 848

(A) "Deadly weapon" means any instrument, device, or thing 849
capable of inflicting death, and designed or specially adapted for 850
use as a weapon, or possessed, carried, or used as a weapon. 851

(B)(1) "Firearm" means any deadly weapon capable of expelling 852
or propelling one or more projectiles by the action of an 853
explosive or combustible propellant. "Firearm" includes an 854

unloaded firearm, and any firearm that is inoperable but that can 855
readily be rendered operable. 856

(2) When determining whether a firearm is capable of 857
expelling or propelling one or more projectiles by the action of 858
an explosive or combustible propellant, the trier of fact may rely 859
upon circumstantial evidence, including, but not limited to, the 860
representations and actions of the individual exercising control 861
over the firearm. 862

(C) "Handgun" means any of the following: 863

(1) Any firearm that has a short stock and is designed to be 864
held and fired by the use of a single hand; 865

(2) Any combination of parts from which a firearm of a type 866
described in division (C)(1) of this section can be assembled. 867

(D) "Semi-automatic firearm" means any firearm designed or 868
specially adapted to fire a single cartridge and automatically 869
chamber a succeeding cartridge ready to fire, with a single 870
function of the trigger. 871

(E) "Automatic firearm" means any firearm designed or 872
specially adapted to fire a succession of cartridges with a single 873
function of the trigger. "Automatic firearm" also means any 874
semi-automatic firearm designed or specially adapted to fire more 875
than thirty-one cartridges without reloading, other than a firearm 876
chambering only .22 caliber short, long, or long-rifle cartridges. 877

(F) "Sawed-off firearm" means a shotgun with a barrel less 878
than eighteen inches long, or a rifle with a barrel less than 879
sixteen inches long, or a shotgun or rifle less than twenty-six 880
inches long overall. 881

(G) "Zip-gun" means any of the following: 882

(1) Any firearm of crude and extemporized manufacture; 883

(2) Any device, including without limitation a starter's 884

pistol, that is not designed as a firearm, but that is specially 885
adapted for use as a firearm; 886

(3) Any industrial tool, signalling device, or safety device, 887
that is not designed as a firearm, but that as designed is capable 888
of use as such, when possessed, carried, or used as a firearm. 889

(H) "Explosive device" means any device designed or specially 890
adapted to cause physical harm to persons or property by means of 891
an explosion, and consisting of an explosive substance or agency 892
and a means to detonate it. "Explosive device" includes without 893
limitation any bomb, any explosive demolition device, any blasting 894
cap or detonator containing an explosive charge, and any pressure 895
vessel that has been knowingly tampered with or arranged so as to 896
explode. 897

(I) "Incendiary device" means any firebomb, and any device 898
designed or specially adapted to cause physical harm to persons or 899
property by means of fire, and consisting of an incendiary 900
substance or agency and a means to ignite it. 901

(J) "Ballistic knife" means a knife with a detachable blade 902
that is propelled by a spring-operated mechanism. 903

(K) "Dangerous ordnance" means any of the following, except 904
as provided in division (L) of this section: 905

(1) Any automatic or sawed-off firearm, zip-gun, or ballistic 906
knife; 907

(2) Any explosive device or incendiary device; 908

(3) Nitroglycerin, nitrocellulose, nitrostarch, PETN, 909
cyclonite, TNT, picric acid, and other high explosives; amatol, 910
tritonite, tetrytol, pentolite, pecretol, cyclitol, and other high 911
explosive compositions; plastic explosives; dynamite, blasting 912
gelatin, gelatin dynamite, sensitized ammonium nitrate, 913
liquid-oxygen blasting explosives, blasting powder, and other 914

blasting agents; and any other explosive substance having 915
sufficient brisance or power to be particularly suitable for use 916
as a military explosive, or for use in mining, quarrying, 917
excavating, or demolitions; 918

(4) Any firearm, rocket launcher, mortar, artillery piece, 919
grenade, mine, bomb, torpedo, or similar weapon, designed and 920
manufactured for military purposes, and the ammunition for that 921
weapon; 922

(5) Any firearm muffler or silencer; 923

(6) Any combination of parts that is intended by the owner 924
for use in converting any firearm or other device into a dangerous 925
ordnance. 926

(L) "Dangerous ordnance" does not include any of the 927
following: 928

(1) Any firearm, including a military weapon and the 929
ammunition for that weapon, and regardless of its actual age, that 930
employs a percussion cap or other obsolete ignition system, or 931
that is designed and safe for use only with black powder; 932

(2) Any pistol, rifle, or shotgun, designed or suitable for 933
sporting purposes, including a military weapon as issued or as 934
modified, and the ammunition for that weapon, unless the firearm 935
is an automatic or sawed-off firearm; 936

(3) Any cannon or other artillery piece that, regardless of 937
its actual age, is of a type in accepted use prior to 1887, has no 938
mechanical, hydraulic, pneumatic, or other system for absorbing 939
recoil and returning the tube into battery without displacing the 940
carriage, and is designed and safe for use only with black powder; 941

(4) Black powder, priming quills, and percussion caps 942
possessed and lawfully used to fire a cannon of a type defined in 943
division (L)(3) of this section during displays, celebrations, 944

organized matches or shoots, and target practice, and smokeless 945
and black powder, primers, and percussion caps possessed and 946
lawfully used as a propellant or ignition device in small-arms or 947
small-arms ammunition; 948

(5) Dangerous ordnance that is inoperable or inert and cannot 949
readily be rendered operable or activated, and that is kept as a 950
trophy, souvenir, curio, or museum piece. 951

(6) Any device that is expressly excepted from the definition 952
of a destructive device pursuant to the "Gun Control Act of 1968," 953
82 Stat. 1213, 18 U.S.C. 921(a)(4), as amended, and regulations 954
issued under that act. 955

(M) "Explosive" means any chemical compound, mixture, or 956
device, the primary or common purpose of which is to function by 957
explosion. "Explosive" includes all materials that have been 958
classified as division 1.1, division 1.2, division 1.3, or 959
division 1.4 explosives by the United States department of 960
transportation in its regulations and includes, but is not limited 961
to, dynamite, black powder, pellet powders, initiating explosives, 962
blasting caps, electric blasting caps, safety fuses, fuse 963
igniters, squibs, cordeau detonant fuses, instantaneous fuses, and 964
igniter cords and igniters. "Explosive" does not include 965
"fireworks," as defined in section 3743.01 of the Revised Code, or 966
any substance or material otherwise meeting the definition of 967
explosive set forth in this section that is manufactured, sold, 968
possessed, transported, stored, or used in any activity described 969
in section 3743.80 of the Revised Code, provided the activity is 970
conducted in accordance with all applicable laws, rules, and 971
regulations, including, but not limited to, the provisions of 972
section 3743.80 of the Revised Code and the rules of the fire 973
marshal adopted pursuant to section 3737.82 of the Revised Code. 974

(N)(1) "Concealed handgun license" or "license to carry a 975
concealed handgun" means, subject to division (N)(2) of this 976

section, a license or temporary emergency license to carry a 977
concealed handgun issued under section 2923.125 or 2923.1213 of 978
the Revised Code or a license to carry a concealed handgun issued 979
by another state with which the attorney general has entered into 980
a reciprocity agreement under section 109.69 of the Revised Code. 981

(2) A reference in any provision of the Revised Code to a 982
concealed handgun license issued under section 2923.125 of the 983
Revised Code or a license to carry a concealed handgun issued 984
under section 2923.125 of the Revised Code means only a license of 985
the type that is specified in that section. A reference in any 986
provision of the Revised Code to a concealed handgun license 987
issued under section 2923.1213 of the Revised Code, a license to 988
carry a concealed handgun issued under section 2923.1213 of the 989
Revised Code, or a license to carry a concealed handgun on a 990
temporary emergency basis means only a license of the type that is 991
specified in section 2923.1213 of the Revised Code. A reference in 992
any provision of the Revised Code to a concealed handgun license 993
issued by another state or a license to carry a concealed handgun 994
issued by another state means only a license issued by another 995
state with which the attorney general has entered into a 996
reciprocity agreement under section 109.69 of the Revised Code. 997

(O) "Valid concealed handgun license" or "valid license to 998
carry a concealed handgun" means a concealed handgun license that 999
is currently valid, that is not under a suspension under division 1000
(A)(1) of section 2923.128 of the Revised Code, under section 1001
2923.1213 of the Revised Code, or under a suspension provision of 1002
the state other than this state in which the license was issued, 1003
and that has not been revoked under division (B)(1) of section 1004
2923.128 of the Revised Code, under section 2923.1213 of the 1005
Revised Code, or under a revocation provision of the state other 1006
than this state in which the license was issued. 1007

Sec. 2923.12. (A) No person shall knowingly carry or have, 1008
concealed on the person's person or concealed ready at hand, any 1009
of the following: 1010

(1) A deadly weapon other than a handgun; 1011

(2) A handgun other than a dangerous ordnance; 1012

(3) A dangerous ordnance. 1013

(B) No person who has been issued a ~~license or temporary~~ 1014
~~emergency license to carry a concealed handgun under section~~ 1015
~~2923.125 or 2923.1213 of the Revised Code or a license to carry a~~ 1016
~~concealed handgun that was issued by another state with which the~~ 1017
~~attorney general has entered into a reciprocity agreement under~~ 1018
~~section 109.69 of the Revised Code~~ license shall do any of the 1019
following: 1020

(1) If the person is stopped for a law enforcement purpose 1021
and is carrying a concealed handgun, fail to promptly inform any 1022
law enforcement officer who approaches the person after the person 1023
has been stopped that the person has been issued a ~~license or~~ 1024
~~temporary emergency license to carry a concealed handgun~~ license 1025
and that the person then is carrying a concealed handgun; 1026

(2) If the person is stopped for a law enforcement purpose 1027
and ~~if the person~~ is carrying a concealed handgun, knowingly fail 1028
to keep the person's hands in plain sight at any time after any 1029
law enforcement officer begins approaching the person while 1030
stopped and before the law enforcement officer leaves, unless the 1031
failure is pursuant to and in accordance with directions given by 1032
a law enforcement officer; 1033

(3) If the person is stopped for a law enforcement purpose, 1034
if the person is carrying a concealed handgun, and if the person 1035
is approached by any law enforcement officer while stopped, 1036
knowingly remove or attempt to remove the loaded handgun from the 1037

holster, pocket, or other place in which the person is carrying 1038
it, knowingly grasp or hold the loaded handgun, or knowingly have 1039
contact with the loaded handgun by touching it with the person's 1040
hands or fingers at any time after the law enforcement officer 1041
begins approaching and before the law enforcement officer leaves, 1042
unless the person removes, attempts to remove, grasps, holds, or 1043
has contact with the loaded handgun pursuant to and in accordance 1044
with directions given by the law enforcement officer; 1045

(4) If the person is stopped for a law enforcement purpose 1046
and ~~if the person~~ is carrying a concealed handgun, knowingly 1047
disregard or fail to comply with any lawful order of any law 1048
enforcement officer given while the person is stopped, including, 1049
but not limited to, a specific order to the person to keep the 1050
person's hands in plain sight. 1051

(C)(1) This section does not apply to any of the following: 1052

(a) An officer, agent, or employee of this or any other state 1053
or the United States, or to a law enforcement officer, who is 1054
authorized to carry concealed weapons or dangerous ordnance or is 1055
authorized to carry handguns and is acting within the scope of the 1056
officer's, agent's, or employee's duties; 1057

(b) Any person who is employed in this state, who is 1058
authorized to carry concealed weapons or dangerous ordnance or is 1059
authorized to carry handguns, and who is subject to and in 1060
compliance with the requirements of section 109.801 of the Revised 1061
Code, unless the appointing authority of the person has expressly 1062
specified that the exemption provided in division (C)(1)(b) of 1063
this section does not apply to the person; 1064

(c) A person's transportation or storage of a firearm, other 1065
than a firearm described in divisions (G) to (M) of section 1066
2923.11 of the Revised Code, in a motor vehicle for any lawful 1067
purpose if the firearm is not on the actor's person; 1068

(d) A person's storage or possession of a firearm, other than 1069
a firearm described in divisions (G) to (M) of section 2923.11 of 1070
the Revised Code, in the actor's own home for any lawful purpose. 1071

(2) Division (A)(2) of this section does not apply to any 1072
person who, at the time of the alleged carrying or possession of a 1073
handgun, is carrying a valid ~~license or temporary emergency~~ 1074
~~license to carry a concealed handgun issued to the person under~~ 1075
~~section 2923.125 or 2923.1213 of the Revised Code or a license to~~ 1076
~~carry a concealed handgun that was issued by another state with~~ 1077
~~which the attorney general has entered into a reciprocity~~ 1078
~~agreement under section 109.69 of the Revised Code~~ license, unless 1079
the person knowingly is in a place described in division (B) of 1080
section 2923.126 of the Revised Code. 1081

(D) It is an affirmative defense to a charge under division 1082
(A)(1) of this section of carrying or having control of a weapon 1083
other than a handgun and other than a dangerous ordnance that the 1084
actor was not otherwise prohibited by law from having the weapon 1085
and that any of the following applies: 1086

(1) The weapon was carried or kept ready at hand by the actor 1087
for defensive purposes while the actor was engaged in or was going 1088
to or from the actor's lawful business or occupation, which 1089
business or occupation was of a character or was necessarily 1090
carried on in a manner or at a time or place as to render the 1091
actor particularly susceptible to criminal attack, such as would 1092
justify a prudent person in going armed. 1093

(2) The weapon was carried or kept ready at hand by the actor 1094
for defensive purposes while the actor was engaged in a lawful 1095
activity and had reasonable cause to fear a criminal attack upon 1096
the actor, a member of the actor's family, or the actor's home, 1097
such as would justify a prudent person in going armed. 1098

(3) The weapon was carried or kept ready at hand by the actor 1099

for any lawful purpose and while in the actor's own home. 1100

(E) No person who is charged with a violation of this section 1101
shall be required to obtain a ~~license or temporary emergency~~ 1102
~~license to carry a concealed handgun under section 2923.125 or~~ 1103
~~2923.1213 of the Revised Code~~ license as a condition for the 1104
dismissal of the charge. 1105

(F)(1) Whoever violates this section is guilty of carrying 1106
concealed weapons. Except as otherwise provided in this division 1107
or division (F)(2) of this section, carrying concealed weapons in 1108
violation of division (A) of this section is a misdemeanor of the 1109
first degree. Except as otherwise provided in this division or 1110
division (F)(2) of this section, if the offender previously has 1111
been convicted of a violation of this section or of any offense of 1112
violence, if the weapon involved is a firearm that is either 1113
loaded or for which the offender has ammunition ready at hand, or 1114
if the weapon involved is dangerous ordnance, carrying concealed 1115
weapons in violation of division (A) of this section is a felony 1116
of the fourth degree. Except as otherwise provided in division 1117
(F)(2) of this section, if the offense is committed aboard an 1118
aircraft, or with purpose to carry a concealed weapon aboard an 1119
aircraft, regardless of the weapon involved, carrying concealed 1120
weapons in violation of division (A) of this section is a felony 1121
of the third degree. 1122

(2) If a person being arrested for a violation of division 1123
(A)(2) of this section promptly produces a valid ~~license or~~ 1124
~~temporary emergency license to carry a concealed handgun issued~~ 1125
~~under section 2923.125 or 2923.1213 of the Revised Code or a~~ 1126
~~license to carry a concealed handgun that was issued by another~~ 1127
~~state with which the attorney general has entered into a~~ 1128
~~reciprocity agreement under section 109.69 of the Revised Code~~ 1129
license, and if at the time of the violation the person was not 1130
knowingly in a place described in division (B) of section 2923.126 1131

of the Revised Code, the officer shall not arrest the person for a 1132
violation of that division. If the person is not able to promptly 1133
produce any ~~of those types of~~ concealed handgun license and if the 1134
person is not in a place described in that section, the officer 1135
may arrest the person for a violation of that division, and the 1136
offender shall be punished as follows: 1137

(a) The offender shall be guilty of a minor misdemeanor if 1138
both of the following apply: 1139

(i) Within ten days after the arrest, the offender presents a 1140
~~license or temporary emergency license to carry a concealed~~ 1141
~~handgun issued under section 2923.125 or 2923.1213 of the Revised~~ 1142
~~Code or a license to carry a concealed handgun that was issued by~~ 1143
~~another state with which the attorney general has entered into a~~ 1144
~~reciprocity agreement under section 109.69 of the Revised Code~~ 1145
license, which license was valid at the time of the arrest to the 1146
law enforcement agency that employs the arresting officer. 1147

(ii) At the time of the arrest, the offender was not 1148
knowingly in a place described in division (B) of section 2923.126 1149
of the Revised Code. 1150

(b) The offender shall be guilty of a misdemeanor and shall 1151
be fined five hundred dollars if all of the following apply: 1152

(i) The offender previously had been issued a ~~license to~~ 1153
~~carry a concealed handgun under section 2923.125 of the Revised~~ 1154
~~Code or a license to carry a concealed handgun that was issued by~~ 1155
~~another state with which the attorney general has entered into a~~ 1156
~~reciprocity agreement under section 109.69 of the Revised Code and~~ 1157
~~that was similar in nature to a license issued under section~~ 1158
~~2923.125 of the Revised Code~~, and that license expired within the 1159
two years immediately preceding the arrest. 1160

(ii) Within forty-five days after the arrest, the offender 1161
presents ~~any type of a~~ concealed handgun license identified in 1162

~~division (F)(2)(a)(i) of this section~~ to the law enforcement 1163
agency that employed the arresting officer, and the offender 1164
waives in writing the offender's right to a speedy trial on the 1165
charge of the violation that is provided in section 2945.71 of the 1166
Revised Code. 1167

(iii) At the time of the commission of the offense, the 1168
offender was not knowingly in a place described in division (B) of 1169
section 2923.126 of the Revised Code. 1170

(c) If neither division (F)(2)(a) nor (b) of this section 1171
applies, the offender shall be punished under division (F)(1) of 1172
this section. 1173

(3) Except as otherwise provided in this division, carrying 1174
concealed weapons in violation of division (B)(1) of this section 1175
is a misdemeanor of the first degree, and, in addition to any 1176
other penalty or sanction imposed for a violation of division 1177
(B)(1) of this section, the offender's ~~license or temporary~~ 1178
~~emergency license to carry a~~ concealed handgun license shall be 1179
suspended pursuant to division (A)(2) of section 2923.128 of the 1180
Revised Code. If, at the time of the stop of the offender for a 1181
law enforcement purpose that was the basis of the violation, any 1182
law enforcement officer involved with the stop had actual 1183
knowledge that the offender has been issued a ~~license or temporary~~ 1184
~~emergency license to carry a~~ concealed handgun license, carrying 1185
concealed weapons in violation of division (B)(1) of this section 1186
is a minor misdemeanor, and the offender's ~~license or temporary~~ 1187
~~emergency license to carry a~~ concealed handgun license shall not 1188
be suspended pursuant to division (A)(2) of section 2923.128 of 1189
the Revised Code. 1190

(4) Carrying concealed weapons in violation of division 1191
(B)(2) or (4) of this section is a misdemeanor of the first degree 1192
or, if the offender previously has been convicted of or pleaded 1193
guilty to a violation of division (B)(2) or (4) of this section, a 1194

felony of the fifth degree. In addition to any other penalty or 1195
sanction imposed for a misdemeanor violation of division (B)(2) or 1196
(4) of this section, the offender's ~~license or temporary emergency~~ 1197
~~license to carry a~~ concealed handgun license shall be suspended 1198
pursuant to division (A)(2) of section 2923.128 of the Revised 1199
Code. 1200

(5) Carrying concealed weapons in violation of division 1201
(B)(3) of this section is a felony of the fifth degree. 1202

(G) If a law enforcement officer stops a person to question 1203
the person regarding a possible violation of this section, for a 1204
traffic stop, or for any other law enforcement purpose, if the 1205
person surrenders a firearm to the officer, either voluntarily or 1206
pursuant to a request or demand of the officer, and if the officer 1207
does not charge the person with a violation of this section or 1208
arrest the person for any offense, the person is not otherwise 1209
prohibited by law from possessing the firearm, and the firearm is 1210
not contraband, the officer shall return the firearm to the person 1211
at the termination of the stop. If a court orders a law 1212
enforcement officer to return a firearm to a person pursuant to 1213
the requirement set forth in this division, division (B) of 1214
section 2923.163 of the Revised Code applies. 1215

Sec. 2923.121. (A) No person shall possess a firearm in any 1216
room in which any person is consuming beer or intoxicating liquor 1217
in a premises for which a D permit has been issued under Chapter 1218
4303. of the Revised Code or in an open air arena for which a 1219
permit of that nature has been issued. 1220

(B)(1) This section does not apply to any of the following: 1221

(a) An officer, agent, or employee of this or any other state 1222
or the United States, or to a law enforcement officer, who is 1223
authorized to carry firearms and is acting within the scope of the 1224
officer's, agent's, or employee's duties; 1225

(b) Any person who is employed in this state, who is 1226
authorized to carry firearms, and who is subject to and in 1227
compliance with the requirements of section 109.801 of the Revised 1228
Code, unless the appointing authority of the person has expressly 1229
specified that the exemption provided in division (B)(1)(b) of 1230
this section does not apply to the person; 1231

(c) Any room used for the accommodation of guests of a hotel, 1232
as defined in section 4301.01 of the Revised Code; 1233

(d) The principal holder of a D permit issued for a premises 1234
or an open air arena under Chapter 4303. of the Revised Code while 1235
in the premises or open air arena for which the permit was issued 1236
if the principal holder of the D permit also possesses a valid 1237
~~license or temporary emergency license to carry a concealed~~ 1238
~~handgun issued to the principal holder under section 2923.125 or~~ 1239
~~2923.1213 of the Revised Code or a license to carry a concealed~~ 1240
~~handgun that was issued to the principal holder by another state~~ 1241
~~with which the attorney general has entered into a reciprocity~~ 1242
~~agreement under section 109.69 of the Revised Code~~ license and as 1243
long as the principal holder is not consuming beer or intoxicating 1244
liquor or under the influence of alcohol or a drug of abuse, or 1245
any agent or employee of that holder who also is a peace officer, 1246
as defined in section 2151.3515 of the Revised Code, who is off 1247
duty, and who otherwise is authorized to carry firearms while in 1248
the course of the officer's official duties and while in the 1249
premises or open air arena for which the permit was issued and as 1250
long as the agent or employee of that holder is not consuming beer 1251
or intoxicating liquor or under the influence of alcohol or a drug 1252
of abuse. 1253

(e) Any person who is carrying a valid ~~license or temporary~~ 1254
~~emergency license to carry a concealed handgun issued to the~~ 1255
~~person under section 2923.125 or 2923.1213 of the Revised Code or~~ 1256
~~a license to carry a concealed handgun that was issued to the~~ 1257

~~person by another state with which the attorney general has~~ 1258
~~entered into a reciprocity agreement under section 109.69 of the~~ 1259
~~Revised Code~~ license, as long as the person is not consuming beer 1260
or intoxicating liquor or under the influence of alcohol or a drug 1261
of abuse. 1262

(2) This section does not prohibit any person who is a member 1263
of a veteran's organization, as defined in section 2915.01 of the 1264
Revised Code, from possessing a rifle in any room in any premises 1265
owned, leased, or otherwise under the control of the veteran's 1266
organization, if the rifle is not loaded with live ammunition and 1267
if the person otherwise is not prohibited by law from having the 1268
rifle. 1269

(3) This section does not apply to any person possessing or 1270
displaying firearms in any room used to exhibit unloaded firearms 1271
for sale or trade in a soldiers' memorial established pursuant to 1272
Chapter 345. of the Revised Code, in a convention center, or in 1273
any other public meeting place, if the person is an exhibitor, 1274
trader, purchaser, or seller of firearms and is not otherwise 1275
prohibited by law from possessing, trading, purchasing, or selling 1276
the firearms. 1277

(C) It is an affirmative defense to a charge under this 1278
section of illegal possession of a firearm in a liquor permit 1279
premises that involves the possession of a firearm other than a 1280
handgun, that the actor was not otherwise prohibited by law from 1281
having the firearm, and that any of the following apply: 1282

(1) The firearm was carried or kept ready at hand by the 1283
actor for defensive purposes, while the actor was engaged in or 1284
was going to or from the actor's lawful business or occupation, 1285
which business or occupation was of such character or was 1286
necessarily carried on in such manner or at such a time or place 1287
as to render the actor particularly susceptible to criminal 1288
attack, such as would justify a prudent person in going armed. 1289

(2) The firearm was carried or kept ready at hand by the 1290
actor for defensive purposes, while the actor was engaged in a 1291
lawful activity, and had reasonable cause to fear a criminal 1292
attack upon the actor or a member of the actor's family, or upon 1293
the actor's home, such as would justify a prudent person in going 1294
armed. 1295

(D) No person who is charged with a violation of this section 1296
shall be required to obtain a ~~license or temporary emergency~~ 1297
~~license to carry a concealed handgun under section 2923.125 or~~ 1298
~~2923.1213 of the Revised Code~~ license as a condition for the 1299
dismissal of the charge. 1300

(E) Whoever violates this section is guilty of illegal 1301
possession of a firearm in a liquor permit premises. Except as 1302
otherwise provided in this division, illegal possession of a 1303
firearm in a liquor permit premises is a felony of the fifth 1304
degree. If the offender commits the violation of this section by 1305
knowingly carrying or having the firearm concealed on the 1306
offender's person or concealed ready at hand, illegal possession 1307
of a firearm in a liquor permit premises is a felony of the third 1308
degree. 1309

(F) As used in this section, "beer" and "intoxicating liquor" 1310
have the same meanings as in section 4301.01 of the Revised Code. 1311

Sec. 2923.122. (A) No person shall knowingly convey, or 1312
attempt to convey, a deadly weapon or dangerous ordnance into a 1313
school safety zone. 1314

(B) No person shall knowingly possess a deadly weapon or 1315
dangerous ordnance in a school safety zone. 1316

(C) No person shall knowingly possess an object in a school 1317
safety zone if both of the following apply: 1318

(1) The object is indistinguishable from a firearm, whether 1319

or not the object is capable of being fired. 1320

(2) The person indicates that the person possesses the object 1321
and that it is a firearm, or the person knowingly displays or 1322
brandishes the object and indicates that it is a firearm. 1323

(D)(1) This section does not apply to any of the following: 1324

(a) An officer, agent, or employee of this or any other state 1325
or the United States, or a law enforcement officer, who is 1326
authorized to carry deadly weapons or dangerous ordnance and is 1327
acting within the scope of the officer's, agent's, or employee's 1328
duties, a security officer employed by a board of education or 1329
governing body of a school during the time that the security 1330
officer is on duty pursuant to that contract of employment, or any 1331
other person who has written authorization from the board of 1332
education or governing body of a school to convey deadly weapons 1333
or dangerous ordnance into a school safety zone or to possess a 1334
deadly weapon or dangerous ordnance in a school safety zone and 1335
who conveys or possesses the deadly weapon or dangerous ordnance 1336
in accordance with that authorization; 1337

(b) Any person who is employed in this state, who is 1338
authorized to carry deadly weapons or dangerous ordnance, and who 1339
is subject to and in compliance with the requirements of section 1340
109.801 of the Revised Code, unless the appointing authority of 1341
the person has expressly specified that the exemption provided in 1342
division (D)(1)(b) of this section does not apply to the person. 1343

(2) Division (C) of this section does not apply to premises 1344
upon which home schooling is conducted. Division (C) of this 1345
section also does not apply to a school administrator, teacher, or 1346
employee who possesses an object that is indistinguishable from a 1347
firearm for legitimate school purposes during the course of 1348
employment, a student who uses an object that is indistinguishable 1349
from a firearm under the direction of a school administrator, 1350

teacher, or employee, or any other person who with the express 1351
prior approval of a school administrator possesses an object that 1352
is indistinguishable from a firearm for a legitimate purpose, 1353
including the use of the object in a ceremonial activity, a play, 1354
reenactment, or other dramatic presentation, or a ROTC activity or 1355
another similar use of the object. 1356

(3) This section does not apply to a person who conveys or 1357
attempts to convey a handgun into, or possesses a handgun in, a 1358
school safety zone if, at the time of that conveyance, attempted 1359
conveyance, or possession of the handgun, all of the following 1360
apply: 1361

(a) The person does not enter into a school building or onto 1362
school premises and is not at a school activity. 1363

(b) The person is carrying a valid ~~license or temporary~~ 1364
~~emergency license to carry a concealed handgun issued to the~~ 1365
~~person under section 2923.125 or 2923.1213 of the Revised Code or~~ 1366
~~a license to carry a concealed handgun that was issued by another~~ 1367
~~state with which the attorney general has entered into a~~ 1368
~~reciprocity agreement under section 109.69 of the Revised Code~~ 1369
license. 1370

(c) The person is in the school safety zone in accordance 1371
with 18 U.S.C. 922(q)(2)(B). 1372

(d) The person is not knowingly in a place described in 1373
division (B)(1) or (B)(3) to (10) of section 2923.126 of the 1374
Revised Code. 1375

(4) This section does not apply to a person who conveys or 1376
attempts to convey a handgun into, or possesses a handgun in, a 1377
school safety zone if at the time of that conveyance, attempted 1378
conveyance, or possession of the handgun all of the following 1379
apply: 1380

(a) The person is carrying a valid ~~license or temporary~~ 1381

~~emergency license to carry a concealed handgun issued to the~~ 1382
~~person under section 2923.125 or 2923.1213 of the Revised Code or~~ 1383
~~a license to carry a concealed handgun that was issued by another~~ 1384
~~state with which the attorney general has entered into a~~ 1385
~~reciprocity agreement under section 109.69 of the Revised Code~~ 1386
~~license.~~ 1387

(b) The person is the driver or passenger in a motor vehicle 1388
and is in the school safety zone while immediately in the process 1389
of picking up or dropping off a child. 1390

(c) The person is not in violation of section 2923.16 of the 1391
Revised Code. 1392

(E)(1) Whoever violates division (A) or (B) of this section 1393
is guilty of illegal conveyance or possession of a deadly weapon 1394
or dangerous ordnance in a school safety zone. Except as otherwise 1395
provided in this division, illegal conveyance or possession of a 1396
deadly weapon or dangerous ordnance in a school safety zone is a 1397
felony of the fifth degree. If the offender previously has been 1398
convicted of a violation of this section, illegal conveyance or 1399
possession of a deadly weapon or dangerous ordnance in a school 1400
safety zone is a felony of the fourth degree. 1401

(2) Whoever violates division (C) of this section is guilty 1402
of illegal possession of an object indistinguishable from a 1403
firearm in a school safety zone. Except as otherwise provided in 1404
this division, illegal possession of an object indistinguishable 1405
from a firearm in a school safety zone is a misdemeanor of the 1406
first degree. If the offender previously has been convicted of a 1407
violation of this section, illegal possession of an object 1408
indistinguishable from a firearm in a school safety zone is a 1409
felony of the fifth degree. 1410

(F)(1) In addition to any other penalty imposed upon a person 1411
who is convicted of or pleads guilty to a violation of this 1412

section and subject to division (F)(2) of this section, if the 1413
offender has not attained nineteen years of age, regardless of 1414
whether the offender is attending or is enrolled in a school 1415
operated by a board of education or for which the state board of 1416
education prescribes minimum standards under section 3301.07 of 1417
the Revised Code, the court shall impose upon the offender a class 1418
four suspension of the offender's probationary driver's license, 1419
restricted license, driver's license, commercial driver's license, 1420
temporary instruction permit, or probationary commercial driver's 1421
license that then is in effect from the range specified in 1422
division (A)(4) of section 4510.02 of the Revised Code and shall 1423
deny the offender the issuance of any permit or license of that 1424
type during the period of the suspension. 1425

If the offender is not a resident of this state, the court 1426
shall impose a class four suspension of the nonresident operating 1427
privilege of the offender from the range specified in division 1428
(A)(4) of section 4510.02 of the Revised Code. 1429

(2) If the offender shows good cause why the court should not 1430
suspend one of the types of licenses, permits, or privileges 1431
specified in division (F)(1) of this section or deny the issuance 1432
of one of the temporary instruction permits specified in that 1433
division, the court in its discretion may choose not to impose the 1434
suspension, revocation, or denial required in that division. 1435

(G) As used in this section, "object that is 1436
indistinguishable from a firearm" means an object made, 1437
constructed, or altered so that, to a reasonable person without 1438
specialized training in firearms, the object appears to be a 1439
firearm. 1440

Sec. 2923.123. (A) No person shall knowingly convey or 1441
attempt to convey a deadly weapon or dangerous ordnance into a 1442
courthouse or into another building or structure in which a 1443

courtroom is located. 1444

(B) No person shall knowingly possess or have under the 1445
person's control a deadly weapon or dangerous ordnance in a 1446
courthouse or in another building or structure in which a 1447
courtroom is located. 1448

(C) This section does not apply to any of the following: 1449

(1) Except as provided in division (E) of this section, a 1450
judge of a court of record of this state or a magistrate; 1451

(2) A peace officer, officer of a law enforcement agency, or 1452
person who is in either of the following categories: 1453

(a) Except as provided in division (E) of this section, a 1454
peace officer, or an officer of a law enforcement agency of 1455
another state, a political subdivision of another state, or the 1456
United States, who is authorized to carry a deadly weapon or 1457
dangerous ordnance, who possesses or has under that individual's 1458
control a deadly weapon or dangerous ordnance as a requirement of 1459
that individual's duties, and who is acting within the scope of 1460
that individual's duties at the time of that possession or 1461
control; 1462

(b) Except as provided in division (E) of this section, a 1463
person who is employed in this state, who is authorized to carry a 1464
deadly weapon or dangerous ordnance, who possesses or has under 1465
that individual's control a deadly weapon or dangerous ordnance as 1466
a requirement of that person's duties, and who is subject to and 1467
in compliance with the requirements of section 109.801 of the 1468
Revised Code, unless the appointing authority of the person has 1469
expressly specified that the exemption provided in division 1470
(C)(2)(b) of this section does not apply to the person. 1471

(3) A person who conveys, attempts to convey, possesses, or 1472
has under the person's control a deadly weapon or dangerous 1473

ordnance that is to be used as evidence in a pending criminal or 1474
civil action or proceeding; 1475

(4) Except as provided in division (E) of this section, a 1476
bailiff or deputy bailiff of a court of record of this state who 1477
is authorized to carry a firearm pursuant to section 109.77 of the 1478
Revised Code, who possesses or has under that individual's control 1479
a firearm as a requirement of that individual's duties, and who is 1480
acting within the scope of that individual's duties at the time of 1481
that possession or control; 1482

(5) Except as provided in division (E) of this section, a 1483
prosecutor, or a secret service officer appointed by a county 1484
prosecuting attorney, who is authorized to carry a deadly weapon 1485
or dangerous ordnance in the performance of the individual's 1486
duties, who possesses or has under that individual's control a 1487
deadly weapon or dangerous ordnance as a requirement of that 1488
individual's duties, and who is acting within the scope of that 1489
individual's duties at the time of that possession or control; 1490

(6) Except as provided in division (E) of this section, a 1491
person who conveys or attempts to convey a handgun into a 1492
courthouse or into another building or structure in which a 1493
courtroom is located, who, at the time of the conveyance or 1494
attempt, is carrying a valid ~~license or temporary emergency~~ 1495
~~license to carry a concealed handgun issued to the person under~~ 1496
~~section 2923.125 or 2923.1213 of the Revised Code or a license to~~ 1497
~~carry a concealed handgun that was issued by another state with~~ 1498
~~which the attorney general has entered into a reciprocity~~ 1499
~~agreement under section 109.69 of the Revised Code~~ license, and 1500
who transfers possession of the handgun to the officer or 1501
officer's designee who has charge of the courthouse or building. 1502
The officer shall secure the handgun until the licensee is 1503
prepared to leave the premises. The exemption described in this 1504
division applies only if the officer who has charge of the 1505

courthouse or building provides services of the nature described 1506
in this division. An officer who has charge of the courthouse or 1507
building is not required to offer services of the nature described 1508
in this division. 1509

(D)(1) Whoever violates division (A) of this section is 1510
guilty of illegal conveyance of a deadly weapon or dangerous 1511
ordnance into a courthouse. Except as otherwise provided in this 1512
division, illegal conveyance of a deadly weapon or dangerous 1513
ordnance into a courthouse is a felony of the fifth degree. If the 1514
offender previously has been convicted of a violation of division 1515
(A) or (B) of this section, illegal conveyance of a deadly weapon 1516
or dangerous ordnance into a courthouse is a felony of the fourth 1517
degree. 1518

(2) Whoever violates division (B) of this section is guilty 1519
of illegal possession or control of a deadly weapon or dangerous 1520
ordnance in a courthouse. Except as otherwise provided in this 1521
division, illegal possession or control of a deadly weapon or 1522
dangerous ordnance in a courthouse is a felony of the fifth 1523
degree. If the offender previously has been convicted of a 1524
violation of division (A) or (B) of this section, illegal 1525
possession or control of a deadly weapon or dangerous ordnance in 1526
a courthouse is a felony of the fourth degree. 1527

(E) The exemptions described in divisions (C)(1), (2)(a), 1528
(2)(b), (4), (5), and (6) of this section do not apply to any 1529
judge, magistrate, peace officer, officer of a law enforcement 1530
agency, bailiff, deputy bailiff, prosecutor, secret service 1531
officer, or other person described in any of those divisions if a 1532
rule of superintendence or another type of rule adopted by the 1533
supreme court pursuant to Article IV, Ohio Constitution, or an 1534
applicable local rule of court prohibits all persons from 1535
conveying or attempting to convey a deadly weapon or dangerous 1536
ordnance into a courthouse or into another building or structure 1537

in which a courtroom is located or from possessing or having under 1538
one's control a deadly weapon or dangerous ordnance in a 1539
courthouse or in another building or structure in which a 1540
courtroom is located. 1541

(F) As used in this section: 1542

(1) "Magistrate" means an individual who is appointed by a 1543
court of record of this state and who has the powers and may 1544
perform the functions specified in Civil Rule 53, Criminal Rule 1545
19, or Juvenile Rule 40. 1546

(2) "Peace officer" and "prosecutor" have the same meanings 1547
as in section 2935.01 of the Revised Code. 1548

Sec. 2923.124. As used in sections 2923.124 to 2923.1213 of 1549
the Revised Code: 1550

(A) "Application form" means the application form prescribed 1551
pursuant to division (A)(1) of section 109.731 of the Revised Code 1552
and includes a copy of that form. 1553

(B) "Competency certification" and "competency certificate" 1554
mean a document of the type described in division (B)(3) of 1555
section 2923.125 of the Revised Code. 1556

(C) "Detention facility" has the same meaning as in section 1557
2921.01 of the Revised Code. 1558

(D) "Licensee" means a person to whom a ~~license to carry a~~ 1559
concealed handgun license has been issued under section 2923.125 1560
of the Revised Code and, except when the context clearly indicates 1561
otherwise, includes a person to whom a ~~temporary emergency license~~ 1562
~~to carry a~~ concealed handgun license on a temporary emergency 1563
basis has been issued under section 2923.1213 of the Revised Code 1564
and a person to whom a concealed handgun license has been issued 1565
by another state. 1566

(E) "License fee" or "license renewal fee" means the fee for 1567

a ~~license to carry a~~ concealed handgun license or the fee to renew 1568
that license that is prescribed pursuant to division (C) of 1569
section 109.731 of the Revised Code and that is to be paid by an 1570
applicant for a license of that type. 1571

(F) "Peace officer" has the same meaning as in section 1572
2935.01 of the Revised Code. 1573

(G) "State correctional institution" has the same meaning as 1574
in section 2967.01 of the Revised Code. 1575

(H) ~~"Valid license" means a license or temporary emergency~~ 1576
~~license to carry a concealed handgun that has been issued under~~ 1577
~~section 2923.125 or 2923.1213 of the Revised Code, that is~~ 1578
~~currently valid, that is not under a suspension under division~~ 1579
~~(A)(1) of section 2923.128 or under section 2923.1213 of the~~ 1580
~~Revised Code, and that has not been revoked under division (B)(1)~~ 1581
~~of section 2923.128 or under section 2923.1213 of the Revised~~ 1582
~~Code.~~ 1583

~~(I)~~ "Civil protection order" means a protection order issued, 1584
or consent agreement approved, under section 2903.214 or 3113.31 1585
of the Revised Code. 1586

~~(J)~~(I) "Temporary protection order" means a protection order 1587
issued under section 2903.213 or 2919.26 of the Revised Code. 1588

~~(K)~~(J) "Protection order issued by a court of another state" 1589
has the same meaning as in section 2919.27 of the Revised Code. 1590

~~(L)~~(K) "Child day-care center," "type A family day-care home" 1591
and "type B family day-care home" have the same meanings as in 1592
section 5104.01 of the Revised Code. 1593

~~(M)~~(L) "Type C family day-care home" means a family day-care 1594
home authorized to provide child care by Sub. H.B. 62 of the 121st 1595
general assembly, as amended by Am. Sub. S.B. 160 of the 121st 1596
general assembly and Sub. H.B. 407 of the 123rd general assembly. 1597

~~(N)~~(M) "Foreign air transportation," "interstate air 1598
transportation," and "intrastate air transportation" have the same 1599
meanings as in 49 U.S.C. 40102, as now or hereafter amended. 1600

~~(O)~~(N) "Commercial motor vehicle" has the same meaning as in 1601
division (A) of section 4506.25 of the Revised Code. 1602

~~(P)~~(O) "Motor carrier enforcement unit" has the same meaning 1603
as in section 2923.16 of the Revised Code. 1604

Sec. 2923.125. (A) This section applies with respect to the 1605
application for and issuance by this state of concealed handgun 1606
licenses other than concealed handgun licenses on a temporary 1607
emergency basis that are issued under section 2923.1213 of the 1608
Revised Code. Upon the request of a person who wishes to obtain a 1609
license to carry a concealed handgun license with respect to which 1610
this section applies or to renew a license to carry a concealed 1611
handgun license with respect to which this section applies, a 1612
sheriff, as provided in division (I) of this section, shall 1613
provide to the person free of charge an application form and the 1614
web site address at which the pamphlet described in division (B) 1615
of section 109.731 of the Revised Code may be found. A sheriff 1616
shall accept a completed application form and the fee, items, 1617
materials, and information specified in divisions (B)(1) to (5) of 1618
this section at the times and in the manners described in division 1619
(I) of this section. 1620

(B) An applicant for a license to carry a concealed handgun 1621
license with respect to which this section applies shall submit a 1622
completed application form and all of the following to the sheriff 1623
of the county in which the applicant resides or to the sheriff of 1624
any county adjacent to the county in which the applicant resides: 1625

(1)(a) A nonrefundable license fee as described in either of 1626
the following: 1627

(i) For an applicant who has been a resident of this state 1628
for five or more years, a fee of sixty-seven dollars; 1629

(ii) For an applicant who has been a resident of this state 1630
for less than five years, a fee of sixty-seven dollars plus the 1631
actual cost of having a background check performed by the federal 1632
bureau of investigation. 1633

(b) No sheriff shall require an applicant to pay for the cost 1634
of a background check performed by the bureau of criminal 1635
identification and investigation. 1636

(c) A sheriff shall waive the payment of the license fee 1637
described in division (B)(1)(a) of this section in connection with 1638
an initial or renewal application for a license that is submitted 1639
by an applicant who is a retired peace officer, a retired person 1640
described in division (B)(1)(b) of section 109.77 of the Revised 1641
Code, or a retired federal law enforcement officer who, prior to 1642
retirement, was authorized under federal law to carry a firearm in 1643
the course of duty, unless the retired peace officer, person, or 1644
federal law enforcement officer retired as the result of a mental 1645
disability. 1646

(d) The sheriff shall deposit all fees paid by an applicant 1647
under division (B)(1)(a) of this section into the sheriff's 1648
concealed handgun license issuance fund established pursuant to 1649
section 311.42 of the Revised Code. The county shall distribute 1650
the fees in accordance with section 311.42 of the Revised Code. 1651

(2) A color photograph of the applicant that was taken within 1652
thirty days prior to the date of the application; 1653

(3) One or more of the following competency certifications, 1654
each of which shall reflect that, regarding a certification 1655
described in division (B)(3)(a), (b), (c), (e), or (f) of this 1656
section, within the three years immediately preceding the 1657
application the applicant has performed that to which the 1658

competency certification relates and that, regarding a 1659
certification described in division (B)(3)(d) of this section, the 1660
applicant currently is an active or reserve member of the armed 1661
forces of the United States or within the six years immediately 1662
preceding the application the honorable discharge or retirement to 1663
which the competency certification relates occurred: 1664

(a) An original or photocopy of a certificate of completion 1665
of a firearms safety, training, or requalification or firearms 1666
safety instructor course, class, or program that was offered by or 1667
under the auspices of the national rifle association and that 1668
complies with the requirements set forth in division (G) of this 1669
section; 1670

(b) An original or photocopy of a certificate of completion 1671
of a firearms safety, training, or requalification or firearms 1672
safety instructor course, class, or program that satisfies all of 1673
the following criteria: 1674

(i) It was open to members of the general public. 1675

(ii) It utilized qualified instructors who were certified by 1676
the national rifle association, the executive director of the Ohio 1677
peace officer training commission pursuant to section 109.75 or 1678
109.78 of the Revised Code, or a governmental official or entity 1679
of another state. 1680

(iii) It was offered by or under the auspices of a law 1681
enforcement agency of this or another state or the United States, 1682
a public or private college, university, or other similar 1683
postsecondary educational institution located in this or another 1684
state, a firearms training school located in this or another 1685
state, or another type of public or private entity or organization 1686
located in this or another state. 1687

(iv) It complies with the requirements set forth in division 1688
(G) of this section. 1689

(c) An original or photocopy of a certificate of completion 1690
of a state, county, municipal, or department of natural resources 1691
peace officer training school that is approved by the executive 1692
director of the Ohio peace officer training commission pursuant to 1693
section 109.75 of the Revised Code and that complies with the 1694
requirements set forth in division (G) of this section, or the 1695
applicant has satisfactorily completed and been issued a 1696
certificate of completion of a basic firearms training program, a 1697
firearms requalification training program, or another basic 1698
training program described in section 109.78 or 109.801 of the 1699
Revised Code that complies with the requirements set forth in 1700
division (G) of this section; 1701

(d) A document that evidences both of the following: 1702

(i) That the applicant is an active or reserve member of the 1703
armed forces of the United States, was honorably discharged from 1704
military service in the active or reserve armed forces of the 1705
United States, is a retired trooper of the state highway patrol, 1706
or is a retired peace officer or federal law enforcement officer 1707
described in division (B)(1) of this section or a retired person 1708
described in division (B)(1)(b) of section 109.77 of the Revised 1709
Code and division (B)(1) of this section; 1710

(ii) That, through participation in the military service or 1711
through the former employment described in division (B)(3)(d)(i) 1712
of this section, the applicant acquired experience with handling 1713
handguns or other firearms, and the experience so acquired was 1714
equivalent to training that the applicant could have acquired in a 1715
course, class, or program described in division (B)(3)(a), (b), or 1716
(c) of this section. 1717

(e) A certificate or another similar document that evidences 1718
satisfactory completion of a firearms training, safety, or 1719
requalification or firearms safety instructor course, class, or 1720
program that is not otherwise described in division (B)(3)(a), 1721

(b), (c), or (d) of this section, that was conducted by an 1722
instructor who was certified by an official or entity of the 1723
government of this or another state or the United States or by the 1724
national rifle association, and that complies with the 1725
requirements set forth in division (G) of this section; 1726

(f) An affidavit that attests to the applicant's satisfactory 1727
completion of a course, class, or program described in division 1728
(B)(3)(a), (b), (c), or (e) of this section and that is subscribed 1729
by the applicant's instructor or an authorized representative of 1730
the entity that offered the course, class, or program or under 1731
whose auspices the course, class, or program was offered. 1732

(4) A certification by the applicant that the applicant has 1733
read the pamphlet prepared by the Ohio peace officer training 1734
commission pursuant to section 109.731 of the Revised Code that 1735
reviews firearms, dispute resolution, and use of deadly force 1736
matters. 1737

(5) A set of fingerprints of the applicant provided as 1738
described in section 311.41 of the Revised Code through use of an 1739
electronic fingerprint reading device or, if the sheriff to whom 1740
the application is submitted does not possess and does not have 1741
ready access to the use of such a reading device, on a standard 1742
impression sheet prescribed pursuant to division (C)(2) of section 1743
109.572 of the Revised Code. 1744

(C) Upon receipt of ~~an applicant's~~ the completed application 1745
form, supporting documentation, and, if not waived, license fee of 1746
an applicant under this section, a sheriff, in the manner 1747
specified in section 311.41 of the Revised Code, shall conduct or 1748
cause to be conducted the criminal records check and the 1749
incompetency records check described in section 311.41 of the 1750
Revised Code. 1751

(D)(1) Except as provided in division (D)(3) or (4) of this 1752

section, within forty-five days after a sheriff's receipt of an 1753
applicant's completed application form for a ~~license to carry a~~ 1754
concealed handgun license under this section, the supporting 1755
documentation, and, if not waived, the license fee, the sheriff 1756
shall make available through the law enforcement automated data 1757
system in accordance with division (H) of this section the 1758
information described in that division and, upon making the 1759
information available through the system, shall issue to the 1760
applicant a ~~license to carry a~~ concealed handgun license that 1761
shall expire as described in division (D)(2)(a) of this section if 1762
all of the following apply: 1763

(a) The applicant is legally living in the United States, has 1764
been a resident of this state for at least forty-five days, and 1765
has been a resident of the county in which the person seeks the 1766
license or a county adjacent to the county in which the person 1767
seeks the license for at least thirty days. For purposes of 1768
division (D)(1)(a) of this section: 1769

(i) If a person is absent from the United States, from this 1770
state, or from a particular county in this state in compliance 1771
with military or naval orders as an active or reserve member of 1772
the armed forces of the United States and if prior to leaving this 1773
state in compliance with those orders the person was legally 1774
living in the United States and was a resident of this state, the 1775
person, solely by reason of that absence, shall not be considered 1776
to have lost the person's status as living in the United States or 1777
the person's residence in this state or in the county in which the 1778
person was a resident prior to leaving this state in compliance 1779
with those orders, without regard to whether or not the person 1780
intends to return to this state or to that county, shall not be 1781
considered to have acquired a residence in any other state, and 1782
shall not be considered to have become a resident of any other 1783
state. 1784

(ii) If a person is present in this state in compliance with military or naval orders as an active or reserve member of the armed forces of the United States for at least forty-five days, the person shall be considered to have been a resident of this state for that period of at least forty-five days, and, if a person is present in a county of this state in compliance with military or naval orders as an active or reserve member of the armed forces of the United States for at least thirty days, the person shall be considered to have been a resident of that county for that period of at least thirty days.

(b) The applicant is at least twenty-one years of age.

(c) The applicant is not a fugitive from justice.

(d) The applicant is not under indictment for or otherwise charged with a felony; an offense under Chapter 2925., 3719., or 4729. of the Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse; a misdemeanor offense of violence; or a violation of section 2903.14 or 2923.1211 of the Revised Code.

(e) Except as otherwise provided in division (D)(5) of this section, the applicant has not been convicted of or pleaded guilty to a felony or an offense under Chapter 2925., 3719., or 4729. of the Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse; has not been adjudicated a delinquent child for committing an act that if committed by an adult would be a felony or would be an offense under Chapter 2925., 3719., or 4729. of the Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse; and has not been convicted of, pleaded guilty to, or adjudicated a delinquent child for committing a violation of section 2903.13 of the Revised Code when the victim of the violation is a peace officer, regardless of whether the applicant

was sentenced under division (C)(3) of that section. 1817

(f) Except as otherwise provided in division (D)(5) of this 1818
section, the applicant, within three years of the date of the 1819
application, has not been convicted of or pleaded guilty to a 1820
misdemeanor offense of violence other than a misdemeanor violation 1821
of section 2921.33 of the Revised Code or a violation of section 1822
2903.13 of the Revised Code when the victim of the violation is a 1823
peace officer, or a misdemeanor violation of section 2923.1211 of 1824
the Revised Code; and has not been adjudicated a delinquent child 1825
for committing an act that if committed by an adult would be a 1826
misdemeanor offense of violence other than a misdemeanor violation 1827
of section 2921.33 of the Revised Code or a violation of section 1828
2903.13 of the Revised Code when the victim of the violation is a 1829
peace officer or for committing an act that if committed by an 1830
adult would be a misdemeanor violation of section 2923.1211 of the 1831
Revised Code. 1832

(g) Except as otherwise provided in division (D)(1)(e) of 1833
this section, the applicant, within five years of the date of the 1834
application, has not been convicted of, pleaded guilty to, or 1835
adjudicated a delinquent child for committing two or more 1836
violations of section 2903.13 or 2903.14 of the Revised Code. 1837

(h) Except as otherwise provided in division (D)(5) of this 1838
section, the applicant, within ten years of the date of the 1839
application, has not been convicted of, pleaded guilty to, or 1840
adjudicated a delinquent child for committing a violation of 1841
section 2921.33 of the Revised Code. 1842

(i) The applicant has not been adjudicated as a mental 1843
defective, has not been committed to any mental institution, is 1844
not under adjudication of mental incompetence, has not been found 1845
by a court to be a mentally ill person subject to hospitalization 1846
by court order, and is not an involuntary patient other than one 1847
who is a patient only for purposes of observation. As used in this 1848

division, "mentally ill person subject to hospitalization by court order" and "patient" have the same meanings as in section 5122.01 of the Revised Code.

(j) The applicant is not currently subject to a civil protection order, a temporary protection order, or a protection order issued by a court of another state.

(k) The applicant certifies that the applicant desires a legal means to carry a concealed handgun for defense of the applicant or a member of the applicant's family while engaged in lawful activity.

(l) The applicant submits a competency certification of the type described in division (B)(3) of this section and submits a certification of the type described in division (B)(4) of this section regarding the applicant's reading of the pamphlet prepared by the Ohio peace officer training commission pursuant to section 109.731 of the Revised Code.

(m) The applicant currently is not subject to a suspension imposed under division (A)(2) of section 2923.128 of the Revised Code of ~~a license to carry a concealed handgun, or a temporary emergency license to carry a concealed handgun,~~ license that previously was issued to the applicant under this section or section 2923.1213 of the Revised Code.

(2)(a) A ~~license to carry a concealed handgun~~ license that a sheriff issues under division (D)(1) of this section ~~on or after March 14, 2007,~~ shall expire five years after the date of issuance. ~~A license to carry a concealed handgun that a sheriff issued under division (D)(1) of this section prior to March 14, 2007, shall expire four years after the date of issuance.~~

If a sheriff issues a license under this section, the sheriff shall place on the license a unique combination of letters and numbers identifying the license in accordance with the procedure

prescribed by the Ohio peace officer training commission pursuant 1880
to section 109.731 of the Revised Code. 1881

(b) If a sheriff denies an application under this section 1882
because the applicant does not satisfy the criteria described in 1883
division (D)(1) of this section, the sheriff shall specify the 1884
grounds for the denial in a written notice to the applicant. The 1885
applicant may appeal the denial pursuant to section 119.12 of the 1886
Revised Code in the county served by the sheriff who denied the 1887
application. If the denial was as a result of the criminal records 1888
check conducted pursuant to section 311.41 of the Revised Code and 1889
if, pursuant to section 2923.127 of the Revised Code, the 1890
applicant challenges the criminal records check results using the 1891
appropriate challenge and review procedure specified in that 1892
section, the time for filing the appeal pursuant to section 119.12 1893
of the Revised Code and this division is tolled during the 1894
pendency of the request or the challenge and review. If the court 1895
in an appeal under section 119.12 of the Revised Code and this 1896
division enters a judgment sustaining the sheriff's refusal to 1897
grant to the applicant a ~~license to carry a~~ concealed handgun 1898
license, the applicant may file a new application beginning one 1899
year after the judgment is entered. If the court enters a judgment 1900
in favor of the applicant, that judgment shall not restrict the 1901
authority of a sheriff to suspend or revoke the license pursuant 1902
to section 2923.128 or 2923.1213 of the Revised Code or to refuse 1903
to renew the license for any proper cause that may occur after the 1904
date the judgment is entered. In the appeal, the court shall have 1905
full power to dispose of all costs. 1906

(3) If the sheriff with whom an application for a ~~license to~~ 1907
~~carry a~~ concealed handgun license was filed under this section 1908
becomes aware that the applicant has been arrested for or 1909
otherwise charged with an offense that would disqualify the 1910
applicant from holding the license, the sheriff shall suspend the 1911

processing of the application until the disposition of the case 1912
arising from the arrest or charge. 1913

(4) If the sheriff determines that the applicant is legally 1914
living in the United States and is a resident of the county in 1915
which the applicant seeks the license or of an adjacent county but 1916
does not yet meet the residency requirements described in division 1917
(D)(1)(a) of this section, the sheriff shall not deny the license 1918
because of the residency requirements but shall not issue the 1919
license until the applicant meets those residency requirements. 1920

(5) If an applicant has been convicted of or pleaded guilty 1921
to an offense identified in division (D)(1)(e), (f), or (h) of 1922
this section or has been adjudicated a delinquent child for 1923
committing an act or violation identified in any of those 1924
divisions, and if a court has ordered the sealing or expungement 1925
of the records of that conviction, guilty plea, or adjudication 1926
pursuant to sections 2151.355 to 2151.358, sections 2953.31 to 1927
2953.36, or section 2953.37 of the Revised Code or a court has 1928
granted the applicant relief pursuant to section 2923.14 of the 1929
Revised Code from the disability imposed pursuant to section 1930
2923.13 of the Revised Code relative to that conviction, guilty 1931
plea, or adjudication, the sheriff with whom the application was 1932
submitted shall not consider the conviction, guilty plea, or 1933
adjudication in making a determination under division (D)(1) or 1934
(F) of this section or, in relation to an application for a 1935
~~temporary emergency license to carry a concealed handgun license~~ 1936
on a temporary emergency basis submitted under section 2923.1213 1937
of the Revised Code, in making a determination under division 1938
(B)(2) of that section. 1939

(E) If a ~~license to carry a concealed handgun license~~ issued 1940
under this section is lost or is destroyed, the licensee may 1941
obtain from the sheriff who issued that license a duplicate 1942
license upon the payment of a fee of fifteen dollars and the 1943

submission of an affidavit attesting to the loss or destruction of 1944
the license. The sheriff, in accordance with the procedures 1945
prescribed in section 109.731 of the Revised Code, shall place on 1946
the replacement license a combination of identifying numbers 1947
different from the combination on the license that is being 1948
replaced. 1949

(F)(1) A licensee who wishes to renew a ~~license to carry a~~ 1950
concealed handgun license issued under this section shall do so 1951
not earlier than ninety days before the expiration date of the 1952
license or at any time after the expiration date of the license by 1953
filing with the sheriff of the county in which the applicant 1954
resides or with the sheriff of an adjacent county an application 1955
for renewal of the license obtained pursuant to division (D) of 1956
this section, a certification by the applicant that, subsequent to 1957
the issuance of the license, the applicant has reread the pamphlet 1958
prepared by the Ohio peace officer training commission pursuant to 1959
section 109.731 of the Revised Code that reviews firearms, dispute 1960
resolution, and use of deadly force matters, and a nonrefundable 1961
license renewal fee in an amount determined pursuant to division 1962
(F)(4) of this section unless the fee is waived, ~~and one of the~~ 1963
~~following:~~ 1964

~~(a) If the licensee previously has not renewed a license to~~ 1965
~~carry a concealed handgun issued under this section, proof that~~ 1966
~~the licensee at one time had a competency certification of the~~ 1967
~~type described in division (B)(3) of this section. A valid~~ 1968
~~license, expired license, or any other previously issued license~~ 1969
~~that has not been revoked is prima facie evidence that the~~ 1970
~~licensee at one time had a competency certification of the type~~ 1971
~~described in division (B)(3) of this section.~~ 1972

~~(b) If the licensee previously has renewed a license to carry~~ 1973
~~a concealed handgun issued under this section, a renewed~~ 1974
~~competency certification of the type described in division (C)(4)~~ 1975

~~of this section.~~ 1976

(2) A sheriff shall accept a completed renewal application, 1977
the license renewal fee, and the information specified in division 1978
(F)(1) of this section at the times and in the manners described 1979
in division (I) of this section. Upon receipt of a completed 1980
renewal application, of certification that the applicant has 1981
reread the specified pamphlet prepared by the Ohio peace officer 1982
training commission, ~~of proof of a prior competency certification~~ 1983
~~for an initial renewal or of a renewed competency certification~~ 1984
~~for a second or subsequent renewal,~~ and of a license renewal fee 1985
unless the fee is waived, a sheriff, in the manner specified in 1986
section 311.41 of the Revised Code shall conduct or cause to be 1987
conducted the criminal records check and the incompetency records 1988
check described in section 311.41 of the Revised Code. The sheriff 1989
shall renew the license if the sheriff determines that the 1990
applicant continues to satisfy the requirements described in 1991
division (D)(1) of this section, except that the applicant is not 1992
required to meet the requirements of division (D)(1)(1) of this 1993
section. A renewed license ~~that is renewed on or after March 14,~~ 1994
~~2007,~~ shall expire five years after the date of issuance, ~~and a~~ 1995
~~renewed license that is renewed prior to March 14, 2007, shall~~ 1996
~~expire four years after the date of issuance.~~ A renewed license is 1997
subject to division (E) of this section and sections 2923.126 and 1998
2923.128 of the Revised Code. A sheriff shall comply with 1999
divisions (D)(2) to (4) of this section when the circumstances 2000
described in those divisions apply to a requested license renewal. 2001
If a sheriff denies the renewal of ~~a license to carry~~ a concealed 2002
handgun license, the applicant may appeal the denial, or challenge 2003
the criminal record check results that were the basis of the 2004
denial if applicable, in the same manner as specified in division 2005
(D)(2)(b) of this section and in section 2923.127 of the Revised 2006
Code, regarding the denial of a license under this section. 2007

(3) A renewal application submitted pursuant to division (F) of this section shall only require the licensee to list on the application form information and matters occurring since the date of the licensee's last application for a license pursuant to division (B) or (F) of this section. A sheriff conducting the criminal records check and the incompetency records check described in section 311.41 of the Revised Code shall conduct the check only from the date of the licensee's last application for a license pursuant to division (B) or (F) of this section through the date of the renewal application submitted pursuant to division (F) of this section.

(4) An applicant for a renewal ~~license to carry a~~ concealed handgun license under this section shall submit to the sheriff of the county in which the applicant resides or to the sheriff of any county adjacent to the county in which the applicant resides a nonrefundable license fee as described in either of the following:

(a) For an applicant who has been a resident of this state for five or more years, a fee of fifty dollars;

(b) For an applicant who has been a resident of this state for less than five years, a fee of fifty dollars plus the actual cost of having a background check performed by the federal bureau of investigation.

(G)(1) Each course, class, or program described in division (B)(3)(a), (b), (c), or (e) of this section shall provide to each person who takes the course, class, or program the web site address at which the pamphlet prepared by the Ohio peace officer training commission pursuant to section 109.731 of the Revised Code that reviews firearms, dispute resolution, and use of deadly force matters may be found. Each such course, class, or program described in one of those divisions shall include at least twelve hours of training in the safe handling and use of a firearm that shall include all of the following:

(a) At least ten hours of training on the following matters:	2040
(i) The ability to name, explain, and demonstrate the rules	2041
for safe handling of a handgun and proper storage practices for	2042
handguns and ammunition;	2043
(ii) The ability to demonstrate and explain how to handle	2044
ammunition in a safe manner;	2045
(iii) The ability to demonstrate the knowledge, skills, and	2046
attitude necessary to shoot a handgun in a safe manner;	2047
(iv) Gun handling training.	2048
(b) At least two hours of training that consists of range	2049
time and live-fire training.	2050
(2) To satisfactorily complete the course, class, or program	2051
described in division (B)(3)(a), (b), (c), or (e) of this section,	2052
the applicant shall pass a competency examination that shall	2053
include both of the following:	2054
(a) A written section on the ability to name and explain the	2055
rules for the safe handling of a handgun and proper storage	2056
practices for handguns and ammunition;	2057
(b) A physical demonstration of competence in the use of a	2058
handgun and in the rules for safe handling and storage of a	2059
handgun and a physical demonstration of the attitude necessary to	2060
shoot a handgun in a safe manner.	2061
(3) The competency certification described in division	2062
(B)(3)(a), (b), (c), or (e) of this section shall be dated and	2063
shall attest that the course, class, or program the applicant	2064
successfully completed met the requirements described in division	2065
(G)(1) of this section and that the applicant passed the	2066
competency examination described in division (G)(2) of this	2067
section.	2068
(4) A person who previously has received a competency	2069

~~certification as described in division (B)(3) of this section, or
who previously has received a renewed competency certification as
described in this division, may obtain a renewed competency
certification pursuant to this division. If the person previously
has received a competency certification or previously has received
a renewed competency certification, the person may obtain a
renewed competency certification from an entity that offers a
course, class, or program described in division (B)(3)(a), (b),
(c), or (e) of this section by passing a test that demonstrates
that the person is range competent. In these circumstances, the
person is not required to attend the course, class, or program or
to take the competency examination described in division (G)(2) of
this section for the renewed competency certification in order to
be eligible to receive a renewed competency certification. A
renewed competency certification issued under this division shall
be dated and shall attest that the person has demonstrated range
competency.~~

(H) Upon deciding to issue a concealed handgun license,
deciding to issue a replacement concealed handgun license, or
deciding to renew a ~~license to carry a~~ concealed handgun license
pursuant to this section, and before actually issuing or renewing
the license, the sheriff shall make available through the law
enforcement automated data system all information contained on the
license. If the license subsequently is suspended under division
(A)(1) or (2) of section 2923.128 of the Revised Code, revoked
pursuant to division (B)(1) of section 2923.128 of the Revised
Code, or lost or destroyed, the sheriff also shall make available
through the law enforcement automated data system a notation of
that fact. The superintendent of the state highway patrol shall
ensure that the law enforcement automated data system is so
configured as to permit the transmission through the system of the
information specified in this division.

(I) A sheriff shall accept a completed application form or 2102
renewal application, and the fee, items, materials, and 2103
information specified in divisions (B)(1) to (5) or division (F) 2104
of this section, whichever is applicable, and shall provide an 2105
application form or renewal application to any person during at 2106
least fifteen hours a week and shall provide the web site address 2107
at which the pamphlet described in division (B) of section 109.731 2108
of the Revised Code may be found at any time, upon request. The 2109
sheriff shall post notice of the hours during which the sheriff is 2110
available to accept or provide the information described in this 2111
division. 2112

Sec. 2923.126. (A) A ~~license to carry a~~ concealed handgun 2113
license that is issued under section 2923.125 of the Revised Code 2114
~~on or after March 14, 2007,~~ shall expire five years after the date 2115
~~of issuance, and a license that is so issued prior to March 14,~~ 2116
~~2007, shall expire four years after the date of issuance.~~ A 2117
licensee who has been issued a license under that section shall be 2118
granted a grace period of thirty days after the licensee's license 2119
expires during which the licensee's license remains valid. Except 2120
as provided in divisions (B) and (C) of this section, a licensee 2121
who has been issued a concealed handgun license under section 2122
2923.125 or 2923.1213 of the Revised Code may carry a concealed 2123
handgun anywhere in this state if the licensee also carries a 2124
valid license and valid identification when the licensee is in 2125
actual possession of a concealed handgun. The licensee shall give 2126
notice of any change in the licensee's residence address to the 2127
sheriff who issued the license within forty-five days after that 2128
change. 2129

If a licensee is the driver or an occupant of a motor vehicle 2130
that is stopped as the result of a traffic stop or a stop for 2131
another law enforcement purpose and if the licensee is 2132
transporting or has a loaded handgun in the motor vehicle at that 2133

time, the licensee shall promptly inform any law enforcement 2134
officer who approaches the vehicle while stopped that the licensee 2135
has been issued a ~~license or temporary emergency license to carry~~ 2136
a concealed handgun license and that the licensee currently 2137
possesses or has a loaded handgun; the licensee shall not 2138
knowingly disregard or fail to comply with lawful orders of a law 2139
enforcement officer given while the motor vehicle is stopped, 2140
knowingly fail to remain in the motor vehicle while stopped, or 2141
knowingly fail to keep the licensee's hands in plain sight after 2142
any law enforcement officer begins approaching the licensee while 2143
stopped and before the officer leaves, unless directed otherwise 2144
by a law enforcement officer; and the licensee shall not knowingly 2145
~~remove, attempt to remove, grasp, or hold the loaded handgun or~~ 2146
~~knowingly~~ have contact with the loaded handgun by touching it with 2147
the licensee's hands or fingers, in any manner in violation of 2148
division (E) of section 2923.16 of the Revised Code, after any law 2149
enforcement officer begins approaching the licensee while stopped 2150
and before the officer leaves. Additionally, if a licensee is the 2151
driver or an occupant of a commercial motor vehicle that is 2152
stopped by an employee of the motor carrier enforcement unit for 2153
the purposes defined in section 5503.04 of the Revised Code and if 2154
the licensee is transporting or has a loaded handgun in the 2155
commercial motor vehicle at that time, the licensee shall promptly 2156
inform the employee of the unit who approaches the vehicle while 2157
stopped that the licensee has been issued a ~~license or temporary~~ 2158
~~emergency license to carry a~~ concealed handgun license and that 2159
the licensee currently possesses or has a loaded handgun. 2160

If a licensee is stopped for a law enforcement purpose and if 2161
the licensee is carrying a concealed handgun at the time the 2162
officer approaches, the licensee shall promptly inform any law 2163
enforcement officer who approaches the licensee while stopped that 2164
the licensee has been issued a ~~license or temporary emergency~~ 2165
~~license to carry a~~ concealed handgun license and that the licensee 2166

currently is carrying a concealed handgun; the licensee shall not
knowingly disregard or fail to comply with lawful orders of a law
enforcement officer given while the licensee is stopped or
knowingly fail to keep the licensee's hands in plain sight after
any law enforcement officer begins approaching the licensee while
stopped and before the officer leaves, unless directed otherwise
by a law enforcement officer; and the licensee shall not knowingly
remove, attempt to remove, grasp, or hold the loaded handgun or
knowingly have contact with the loaded handgun by touching it with
the licensee's hands or fingers, in any manner in violation of
division (B) of section 2923.12 of the Revised Code, after any law
enforcement officer begins approaching the licensee while stopped
and before the officer leaves.

(B) A valid concealed handgun license ~~issued under section~~
~~2923.125 or 2923.1213 of the Revised Code~~ does not authorize the
licensee to carry a concealed handgun in any manner prohibited
under division (B) of section 2923.12 of the Revised Code or in
any manner prohibited under section 2923.16 of the Revised Code. A
valid license does not authorize the licensee to carry a concealed
handgun into any of the following places:

(1) A police station, sheriff's office, or state highway
patrol station, premises controlled by the bureau of criminal
identification and investigation, a state correctional
institution, jail, workhouse, or other detention facility, an
airport passenger terminal, or an institution that is maintained,
operated, managed, and governed pursuant to division (A) of
section 5119.02 of the Revised Code or division (A)(1) of section
5123.03 of the Revised Code;

(2) A school safety zone if the licensee's carrying the
concealed handgun is in violation of section 2923.122 of the
Revised Code;

(3) A courthouse or another building or structure in which a

courtroom is located, in violation of section 2923.123 of the Revised Code;

(4) Any premises or open air arena for which a D permit has been issued under Chapter 4303. of the Revised Code if the licensee's carrying the concealed handgun is in violation of section 2923.121 of the Revised Code;

(5) Any premises owned or leased by any public or private college, university, or other institution of higher education, unless the handgun is in a locked motor vehicle or the licensee is in the immediate process of placing the handgun in a locked motor vehicle;

(6) Any church, synagogue, mosque, or other place of worship, unless the church, synagogue, mosque, or other place of worship posts or permits otherwise;

(7) A child day-care center, a type A family day-care home, a type B family day-care home, or a type C family day-care home, except that this division does not prohibit a licensee who resides in a type A family day-care home, a type B family day-care home, or a type C family day-care home from carrying a concealed handgun at any time in any part of the home that is not dedicated or used for day-care purposes, or from carrying a concealed handgun in a part of the home that is dedicated or used for day-care purposes at any time during which no children, other than children of that licensee, are in the home;

(8) An aircraft that is in, or intended for operation in, foreign air transportation, interstate air transportation, intrastate air transportation, or the transportation of mail by aircraft;

(9) Any building that is a government facility of this state or a political subdivision of this state and that is not a building that is used primarily as a shelter, restroom, parking

facility for motor vehicles, or rest facility and is not a 2230
courthouse or other building or structure in which a courtroom is 2231
located that is subject to division (B)(3) of this section; 2232

(10) A place in which federal law prohibits the carrying of 2233
handguns. 2234

(C)(1) Nothing in this section shall negate or restrict a 2235
rule, policy, or practice of a private employer that is not a 2236
private college, university, or other institution of higher 2237
education concerning or prohibiting the presence of firearms on 2238
the private employer's premises or property, including motor 2239
vehicles owned by the private employer. Nothing in this section 2240
shall require a private employer of that nature to adopt a rule, 2241
policy, or practice concerning or prohibiting the presence of 2242
firearms on the private employer's premises or property, including 2243
motor vehicles owned by the private employer. 2244

(2)(a) A private employer shall be immune from liability in a 2245
civil action for any injury, death, or loss to person or property 2246
that allegedly was caused by or related to a licensee bringing a 2247
handgun onto the premises or property of the private employer, 2248
including motor vehicles owned by the private employer, unless the 2249
private employer acted with malicious purpose. A private employer 2250
is immune from liability in a civil action for any injury, death, 2251
or loss to person or property that allegedly was caused by or 2252
related to the private employer's decision to permit a licensee to 2253
bring, or prohibit a licensee from bringing, a handgun onto the 2254
premises or property of the private employer. As used in this 2255
division, "private employer" includes a private college, 2256
university, or other institution of higher education. 2257

(b) A political subdivision shall be immune from liability in 2258
a civil action, to the extent and in the manner provided in 2259
Chapter 2744. of the Revised Code, for any injury, death, or loss 2260
to person or property that allegedly was caused by or related to a 2261

licensee bringing a handgun onto any premises or property owned, 2262
leased, or otherwise under the control of the political 2263
subdivision. As used in this division, "political subdivision" has 2264
the same meaning as in section 2744.01 of the Revised Code. 2265

(3)(a) Except as provided in division (C)(3)(b) of this 2266
section, the owner or person in control of private land or 2267
premises, and a private person or entity leasing land or premises 2268
owned by the state, the United States, or a political subdivision 2269
of the state or the United States, may post a sign in a 2270
conspicuous location on that land or on those premises prohibiting 2271
persons from carrying firearms or concealed firearms on or onto 2272
that land or those premises. Except as otherwise provided in this 2273
division, a person who knowingly violates a posted prohibition of 2274
that nature is guilty of criminal trespass in violation of 2275
division (A)(4) of section 2911.21 of the Revised Code and is 2276
guilty of a misdemeanor of the fourth degree. If a person 2277
knowingly violates a posted prohibition of that nature and the 2278
posted land or premises primarily was a parking lot or other 2279
parking facility, the person is not guilty of criminal trespass in 2280
violation of division (A)(4) of section 2911.21 of the Revised 2281
Code and instead is subject only to a civil cause of action for 2282
trespass based on the violation. 2283

(b) A landlord may not prohibit or restrict a tenant who is a 2284
licensee and who on or after ~~the effective date of this amendment~~ 2285
September 9, 2008, enters into a rental agreement with the 2286
landlord for the use of residential premises, and the tenant's 2287
guest while the tenant is present, from lawfully carrying or 2288
possessing a handgun on those residential premises. 2289

(c) As used in division (C)(3) of this section: 2290

(i) "Residential premises" has the same meaning as in section 2291
5321.01 of the Revised Code, except "residential premises" does 2292
not include a dwelling unit that is owned or operated by a college 2293

or university. 2294

(ii) "Landlord," "tenant," and "rental agreement" have the 2295
same meanings as in section 5321.01 of the Revised Code. 2296

(D) A person who holds a ~~license to carry a~~ concealed handgun 2297
~~that was~~ license issued ~~pursuant to the law of~~ by another state 2298
that is recognized by the attorney general pursuant to a 2299
reciprocity agreement entered into pursuant to section 109.69 of 2300
the Revised Code has the same right to carry a concealed handgun 2301
in this state as a person who was issued a ~~license to carry a~~ 2302
concealed handgun license under section 2923.125 of the Revised 2303
Code and is subject to the same restrictions that apply to a 2304
person who carries a license issued under that section. 2305

(E) A peace officer has the same right to carry a concealed 2306
handgun in this state as a person who was issued a ~~license to~~ 2307
~~carry a~~ concealed handgun license under section 2923.125 of the 2308
Revised Code. For purposes of reciprocity with other states, a 2309
peace officer shall be considered to be a licensee in this state. 2310

(F)(1) A qualified retired peace officer who possesses a 2311
retired peace officer identification card issued pursuant to 2312
division (F)(2) of this section and a valid firearms 2313
requalification certification issued pursuant to division (F)(3) 2314
of this section has the same right to carry a concealed handgun in 2315
this state as a person who was issued a ~~license to carry a~~ 2316
concealed handgun license under section 2923.125 of the Revised 2317
Code and is subject to the same restrictions that apply to a 2318
person who carries a license issued under that section. For 2319
purposes of reciprocity with other states, a qualified retired 2320
peace officer who possesses a retired peace officer identification 2321
card issued pursuant to division (F)(2) of this section and a 2322
valid firearms requalification certification issued pursuant to 2323
division (F)(3) of this section shall be considered to be a 2324
licensee in this state. 2325

(2)(a) Each public agency of this state or of a political subdivision of this state that is served by one or more peace officers shall issue a retired peace officer identification card to any person who retired from service as a peace officer with that agency, if the issuance is in accordance with the agency's policies and procedures and if the person, with respect to the person's service with that agency, satisfies all of the following:

(i) The person retired in good standing from service as a peace officer with the public agency, and the retirement was not for reasons of mental instability.

(ii) Before retiring from service as a peace officer with that agency, the person was authorized to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law and the person had statutory powers of arrest.

(iii) At the time of the person's retirement as a peace officer with that agency, the person was trained and qualified to carry firearms in the performance of the peace officer's duties.

(iv) Before retiring from service as a peace officer with that agency, the person was regularly employed as a peace officer for an aggregate of fifteen years or more, or, in the alternative, the person retired from service as a peace officer with that agency, after completing any applicable probationary period of that service, due to a service-connected disability, as determined by the agency.

(b) A retired peace officer identification card issued to a person under division (F)(2)(a) of this section shall identify the person by name, contain a photograph of the person, identify the public agency of this state or of the political subdivision of this state from which the person retired as a peace officer and that is issuing the identification card, and specify that the

person retired in good standing from service as a peace officer 2357
with the issuing public agency and satisfies the criteria set 2358
forth in divisions (F)(2)(a)(i) to (iv) of this section. In 2359
addition to the required content specified in this division, a 2360
retired peace officer identification card issued to a person under 2361
division (F)(2)(a) of this section may include the firearms 2362
requalification certification described in division (F)(3) of this 2363
section, and if the identification card includes that 2364
certification, the identification card shall serve as the firearms 2365
requalification certification for the retired peace officer. If 2366
the issuing public agency issues credentials to active law 2367
enforcement officers who serve the agency, the agency may comply 2368
with division (F)(2)(a) of this section by issuing the same 2369
credentials to persons who retired from service as a peace officer 2370
with the agency and who satisfy the criteria set forth in 2371
divisions (F)(2)(a)(i) to (iv) of this section, provided that the 2372
credentials so issued to retired peace officers are stamped with 2373
the word "RETIRED." 2374

(c) A public agency of this state or of a political 2375
subdivision of this state may charge persons who retired from 2376
service as a peace officer with the agency a reasonable fee for 2377
issuing to the person a retired peace officer identification card 2378
pursuant to division (F)(2)(a) of this section. 2379

(3) If a person retired from service as a peace officer with 2380
a public agency of this state or of a political subdivision of 2381
this state and the person satisfies the criteria set forth in 2382
divisions (F)(2)(a)(i) to (iv) of this section, the public agency 2383
may provide the retired peace officer with the opportunity to 2384
attend a firearms requalification program that is approved for 2385
purposes of firearms requalification required under section 2386
109.801 of the Revised Code. The retired peace officer may be 2387
required to pay the cost of the course. 2388

If a retired peace officer who satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section attends a firearms requalification program that is approved for purposes of firearms requalification required under section 109.801 of the Revised Code, the retired peace officer's successful completion of the firearms requalification program requalifies the retired peace officer for purposes of division (F) of this section for five years from the date on which the program was successfully completed, and the requalification is valid during that five-year period. If a retired peace officer who satisfies the criteria set forth in divisions (F)(2)(a)(i) to (iv) of this section satisfactorily completes such a firearms requalification program, the retired peace officer shall be issued a firearms requalification certification that identifies the retired peace officer by name, identifies the entity that taught the program, specifies that the retired peace officer successfully completed the program, specifies the date on which the course was successfully completed, and specifies that the requalification is valid for five years from that date of successful completion. The firearms requalification certification for a retired peace officer may be included in the retired peace officer identification card issued to the retired peace officer under division (F)(2) of this section.

A retired peace officer who attends a firearms requalification program that is approved for purposes of firearms requalification required under section 109.801 of the Revised Code may be required to pay the cost of the program.

(G) As used in this section:

(1) "Qualified retired peace officer" means a person who satisfies all of the following:

(a) The person satisfies the criteria set forth in divisions (F)(2)(a)(i) to (v) of this section.

(b) The person is not under the influence of alcohol or 2421
another intoxicating or hallucinatory drug or substance. 2422

(c) The person is not prohibited by federal law from 2423
receiving firearms. 2424

(2) "Retired peace officer identification card" means an 2425
identification card that is issued pursuant to division (F)(2) of 2426
this section to a person who is a retired peace officer. 2427

(3) "Government facility of this state or a political 2428
subdivision of this state" means any of the following: 2429

(a) A building or part of a building that is owned or leased 2430
by the government of this state or a political subdivision of this 2431
state and where employees of the government of this state or the 2432
political subdivision regularly are present for the purpose of 2433
performing their official duties as employees of the state or 2434
political subdivision; 2435

(b) The office of a deputy registrar serving pursuant to 2436
Chapter 4503. of the Revised Code that is used to perform deputy 2437
registrar functions. 2438

Sec. 2923.127. (A) If a sheriff denies an application for a 2439
~~license to carry a~~ concealed handgun license under section 2440
2923.125 of the Revised Code, denies the renewal of a ~~license to~~ 2441
~~carry a~~ concealed handgun license under that section, or denies an 2442
application for a ~~temporary emergency license to carry a~~ concealed 2443
handgun license on a temporary emergency basis under section 2444
2923.1213 of the Revised Code as a result of the criminal records 2445
check conducted pursuant to section 311.41 of the Revised Code and 2446
if the applicant believes the denial was based on incorrect 2447
information reported by the source the sheriff used in conducting 2448
the criminal records check, the applicant may challenge the 2449
criminal records check results using whichever of the following is 2450

applicable: 2451

(1) If the bureau of criminal identification and 2452
investigation performed the criminal records check, by using the 2453
bureau's existing challenge and review procedures; 2454

(2) If division (A)(1) of this section does not apply, by 2455
using the existing challenge and review procedure of the sheriff 2456
who denied the application or, if the sheriff does not have a 2457
challenge and review procedure, by using the challenge and review 2458
procedure prescribed by the bureau of criminal identification and 2459
investigation pursuant to division (B) of this section. 2460

(B) The bureau of criminal identification and investigation 2461
shall prescribe a challenge and review procedure for applicants to 2462
use to challenge criminal records checks under division (A)(2) of 2463
this section in counties in which the sheriff with whom ~~the an~~ 2464
~~application for a license to carry a concealed handgun or for the~~ 2465
~~renewal of a license to carry a concealed handgun was filed or~~ 2466
~~with whom the application for a temporary emergency license to~~ 2467
~~carry a concealed handgun was~~ of a type described in division (A) 2468
of this section was filed or submitted does not have an existing 2469
challenge and review procedure. 2470

Sec. 2923.128. (A)(1)(a) If a licensee holding a valid 2471
concealed handgun license ~~issued under section 2923.125 or~~ 2472
~~2923.1213 of the Revised Code~~ is arrested for or otherwise charged 2473
with an offense described in division (D)(1)(d) of section 2474
2923.125 of the Revised Code or with a violation of section 2475
2923.15 of the Revised Code or becomes subject to a temporary 2476
protection order or to a protection order issued by a court of 2477
another state that is substantially equivalent to a temporary 2478
protection order, the sheriff who issued the license ~~or temporary~~ 2479
~~emergency license~~ shall suspend it and shall comply with division 2480
(A)(3) of this section upon becoming aware of the arrest, charge, 2481

or protection order. Upon suspending the license ~~or temporary~~ 2482
~~emergency license~~, the sheriff also shall comply with division (H) 2483
of section 2923.125 of the Revised Code. 2484

(b) A suspension under division (A)(1)(a) of this section 2485
shall be considered as beginning on the date that the licensee is 2486
arrested for or otherwise charged with an offense described in 2487
that division or on the date the appropriate court issued the 2488
protection order described in that division, irrespective of when 2489
the sheriff notifies the licensee under division (A)(3) of this 2490
section. The suspension shall end on the date on which the charges 2491
are dismissed or the licensee is found not guilty of the offense 2492
described in division (A)(1)(a) of this section or, subject to 2493
division (B) of this section, on the date the appropriate court 2494
terminates the protection order described in that division. If the 2495
suspension so ends, the sheriff shall return the license or 2496
temporary emergency license to the licensee. 2497

(2)(a) If a licensee holding a valid concealed handgun 2498
license ~~issued under section 2923.125 or 2923.1213 of the Revised~~ 2499
~~Code~~ is convicted of or pleads guilty to a misdemeanor violation 2500
of division (B)(1), (2), or (4) of section 2923.12 of the Revised 2501
Code or of division (E)(1), (2), (3), or (5) of section 2923.16 of 2502
the Revised Code, except as provided in division (A)(2)(c) of this 2503
section and subject to division (C) of this section, the sheriff 2504
who issued the license ~~or temporary emergency license~~ shall 2505
suspend it and shall comply with division (A)(3) of this section 2506
upon becoming aware of the conviction or guilty plea. Upon 2507
suspending the license ~~or temporary emergency license~~, the sheriff 2508
also shall comply with division (H) of section 2923.125 of the 2509
Revised Code. 2510

(b) A suspension under division (A)(2)(a) of this section 2511
shall be considered as beginning on the date that the licensee is 2512
convicted of or pleads guilty to the offense described in that 2513

division, irrespective of when the sheriff notifies the licensee 2514
under division (A)(3) of this section. If the suspension is 2515
imposed for a misdemeanor violation of division (B)(1) or (2) of 2516
section 2923.12 of the Revised Code or of division (E)(1), (2), or 2517
(3) of section 2923.16 of the Revised Code, it shall end on the 2518
date that is one year after the date that the licensee is 2519
convicted of or pleads guilty to that violation. If the suspension 2520
is imposed for a misdemeanor violation of division (B)(4) of 2521
section 2923.12 of the Revised Code or of division (E)(5) of 2522
section 2923.16 of the Revised Code, it shall end on the date that 2523
is two years after the date that the licensee is convicted of or 2524
pleads guilty to that violation. If the licensee's license was 2525
issued under section 2923.125 of the Revised Code and the license 2526
remains valid after the suspension ends as described in this 2527
division, when the suspension ends, the sheriff shall return the 2528
license to the licensee. If the licensee's license was issued 2529
under section 2923.125 of the Revised Code and the license expires 2530
before the suspension ends as described in this division, or if 2531
the licensee's license was issued under section 2923.1213 of the 2532
Revised Code, the licensee is not eligible to apply for a new 2533
license under section 2923.125 or 2923.1213 of the Revised Code or 2534
to renew the license under section 2923.125 of the Revised Code 2535
until after the suspension ends as described in this division. 2536

(c) The license of a licensee who is convicted of or pleads 2537
guilty to a violation of division (B)(1) of section 2923.12 or 2538
division (E)(1) or (2) of section 2923.16 of the Revised Code 2539
shall not be suspended pursuant to division (A)(2)(a) of this 2540
section if, at the time of the stop of the licensee for a law 2541
enforcement purpose, for a traffic stop, or for a purpose defined 2542
in section 5503.34 of the Revised Code that was the basis of the 2543
violation, any law enforcement officer involved with the stop or 2544
the employee of the motor carrier enforcement unit who made the 2545
stop had actual knowledge of the licensee's status as a licensee. 2546

(3) Upon becoming aware of an arrest, charge, or protection order described in division (A)(1)(a) of this section with respect to a licensee who was issued a concealed handgun license ~~under section 2923.125 or 2923.1213 of the Revised Code~~, or a conviction of or plea of guilty to a misdemeanor offense described in division (A)(2)(a) of this section with respect to a licensee who was issued a concealed handgun license ~~under either section~~ and with respect to which division (A)(2)(c) of this section does not apply, subject to division (C) of this section, the sheriff who issued the licensee's license ~~or temporary emergency license to carry a concealed handgun~~ shall notify the licensee, by certified mail, return receipt requested, at the licensee's last known residence address that the license ~~or temporary emergency license~~ has been suspended and that the licensee is required to surrender the license ~~or temporary emergency license~~ at the sheriff's office within ten days of the date on which the notice was mailed. If the suspension is pursuant to division (A)(2) of this section, the notice shall identify the date on which the suspension ends.

(B)(1) A sheriff who issues a concealed handgun license ~~or temporary emergency license to carry a concealed handgun~~ to a licensee ~~under section 2923.125 or 2923.1213 of the Revised Code~~ shall revoke the license ~~or temporary emergency license~~ in accordance with division (B)(2) of this section upon becoming aware that the licensee satisfies any of the following:

(a) The licensee is under twenty-one years of age.

(b) Subject to division (C) of this section, at the time of the issuance of the license ~~or temporary emergency license~~, the licensee did not satisfy the eligibility requirements of division (D)(1)(c), (d), (e), (f), (g), or (h) of section 2923.125 of the Revised Code.

(c) Subject to division (C) of this section, on or after the date on which the license ~~or temporary emergency license~~ was

issued, the licensee is convicted of or pleads guilty to a 2579
violation of section 2923.15 of the Revised Code or an offense 2580
described in division (D)(1)(e), (f), (g), or (h) of section 2581
2923.125 of the Revised Code. 2582

(d) On or after the date on which the license ~~or temporary~~ 2583
~~emergency license~~ was issued, the licensee becomes subject to a 2584
civil protection order or to a protection order issued by a court 2585
of another state that is substantially equivalent to a civil 2586
protection order. 2587

(e) The licensee knowingly carries a concealed handgun into a 2588
place that the licensee knows is an unauthorized place specified 2589
in division (B) of section 2923.126 of the Revised Code. 2590

(f) On or after the date on which the license ~~or temporary~~ 2591
~~emergency license~~ was issued, the licensee is adjudicated as a 2592
mental defective or is committed to a mental institution. 2593

(g) At the time of the issuance of the license ~~or temporary~~ 2594
~~emergency license~~, the licensee did not meet the residency 2595
requirements described in division (D)(1) of section 2923.125 of 2596
the Revised Code and currently does not meet the residency 2597
requirements described in that division. 2598

(h) Regarding a license issued under section 2923.125 of the 2599
Revised Code, the competency certificate the licensee submitted 2600
was forged or otherwise was fraudulent. 2601

(2) Upon becoming aware of any circumstance listed in 2602
division (B)(1) of this section that applies to a particular 2603
licensee who was issued a concealed handgun license ~~under section~~ 2604
~~2923.125 or 2923.1213 of the Revised Code~~, subject to division (C) 2605
of this section, the sheriff who issued the license ~~or temporary~~ 2606
~~emergency license to carry a concealed handgun~~ to the licensee 2607
shall notify the licensee, by certified mail, return receipt 2608
requested, at the licensee's last known residence address that the 2609

license ~~or temporary emergency license~~ is subject to revocation 2610
and that the licensee may come to the sheriff's office and contest 2611
the sheriff's proposed revocation within fourteen days of the date 2612
on which the notice was mailed. After the fourteen-day period and 2613
after consideration of any information that the licensee provides 2614
during that period, if the sheriff determines on the basis of the 2615
information of which the sheriff is aware that the licensee is 2616
described in division (B)(1) of this section and no longer 2617
satisfies the requirements described in division (D)(1) of section 2618
2923.125 of the Revised Code that are applicable to the licensee's 2619
type of license, the sheriff shall revoke the license ~~or temporary~~ 2620
~~emergency license~~, notify the licensee of that fact, and require 2621
the licensee to surrender the license ~~or temporary emergency~~ 2622
~~license~~. Upon revoking the license ~~or temporary emergency license~~, 2623
the sheriff also shall comply with division (H) of section 2624
2923.125 of the Revised Code. 2625

(C) If a sheriff who issues a ~~license or temporary emergency~~ 2626
~~license to carry a~~ concealed handgun license to a licensee ~~under~~ 2627
~~section 2923.125 or 2923.1213 of the Revised Code~~ becomes aware 2628
that at the time of the issuance of the license ~~or temporary~~ 2629
~~emergency license~~ the licensee had been convicted of or pleaded 2630
guilty to an offense identified in division (D)(1)(e), (f), or (h) 2631
of section 2923.125 of the Revised Code or had been adjudicated a 2632
delinquent child for committing an act or violation identified in 2633
any of those divisions or becomes aware that on or after the date 2634
on which the license ~~or temporary emergency license~~ was issued the 2635
licensee has been convicted of or pleaded guilty to an offense 2636
identified in division (A)(2)(a) or (B)(1)(c) of this section, the 2637
sheriff shall not consider that conviction, guilty plea, or 2638
adjudication as having occurred for purposes of divisions (A)(2), 2639
(A)(3), (B)(1), and (B)(2) of this section if a court has ordered 2640
the sealing or expungement of the records of that conviction, 2641
guilty plea, or adjudication pursuant to sections 2151.355 to 2642

2151.358 or sections 2953.31 to 2953.36 of the Revised Code or a 2643
court has granted the licensee relief pursuant to section 2923.14 2644
of the Revised Code from the disability imposed pursuant to 2645
section 2923.13 of the Revised Code relative to that conviction, 2646
guilty plea, or adjudication. 2647

(D) As used in this section, "motor carrier enforcement unit" 2648
has the same meaning as in section 2923.16 of the Revised Code. 2649

Sec. 2923.129. (A)(1) If a sheriff, the superintendent of the 2650
bureau of criminal identification and investigation, the employees 2651
of the bureau, the Ohio peace officer training commission, or the 2652
employees of the commission make a good faith effort in performing 2653
the duties imposed upon the sheriff, the superintendent, the 2654
bureau's employees, the commission, or the commission's employees 2655
by sections 109.731, 311.41, and 2923.124 to 2923.1213 of the 2656
Revised Code, in addition to the personal immunity provided by 2657
section 9.86 of the Revised Code or division (A)(6) of section 2658
2744.03 of the Revised Code and the governmental immunity of 2659
sections 2744.02 and 2744.03 of the Revised Code and in addition 2660
to any other immunity possessed by the bureau, the commission, and 2661
their employees, the sheriff, the sheriff's office, the county in 2662
which the sheriff has jurisdiction, the bureau, the superintendent 2663
of the bureau, the bureau's employees, the commission, and the 2664
commission's employees are immune from liability in a civil action 2665
for injury, death, or loss to person or property that allegedly 2666
was caused by or related to any of the following: 2667

(a) The issuance, renewal, suspension, or revocation of a 2668
~~license to carry a concealed handgun or the issuance, suspension,~~ 2669
~~or revocation of a temporary emergency license to carry a~~ 2670
concealed handgun license; 2671

(b) The failure to issue, renew, suspend, or revoke a ~~license~~ 2672
~~to carry a concealed handgun or the failure to issue, suspend, or~~ 2673

~~revoke a temporary emergency license to carry a concealed handgun~~ 2674
~~license;~~ 2675

(c) Any action or misconduct with a handgun committed by a 2676
licensee. 2677

(2) Any action of a sheriff relating to the issuance, 2678
renewal, suspension, or revocation of a ~~license to carry a~~ 2679
~~concealed handgun or the issuance, suspension, or revocation of a~~ 2680
~~temporary emergency license to carry a concealed handgun~~ license 2681
shall be considered to be a governmental function for purposes of 2682
Chapter 2744. of the Revised Code. 2683

(3) An entity that or instructor who provides a competency 2684
certification of a type described in division (B)(3) of section 2685
2923.125 of the Revised Code is immune from civil liability that 2686
might otherwise be incurred or imposed for any death or any injury 2687
or loss to person or property that is caused by or related to a 2688
person to whom the entity or instructor has issued the competency 2689
certificate if all of the following apply: 2690

(a) The alleged liability of the entity or instructor relates 2691
to the training provided in the course, class, or program covered 2692
by the competency certificate. 2693

(b) The entity or instructor makes a good faith effort in 2694
determining whether the person has satisfactorily completed the 2695
course, class, or program and makes a good faith effort in 2696
assessing the person in the competency examination conducted 2697
pursuant to division (G)(2) of section 2923.125 of the Revised 2698
Code. 2699

(c) The entity or instructor did not issue the competency 2700
certificate with malicious purpose, in bad faith, or in a wanton 2701
or reckless manner. 2702

(4) An entity that or instructor who, prior to the effective 2703
date of this amendment, provides a renewed competency 2704

certification of a type described in division (G)(4) of section 2705
2923.125 of the Revised Code as it existed prior to the effective 2706
date of this amendment is immune from civil liability that might 2707
otherwise be incurred or imposed for any death or any injury or 2708
loss to person or property that is caused by or related to a 2709
person to whom the entity or instructor has issued the renewed 2710
competency certificate if all of the following apply: 2711

(a) The entity or instructor makes a good faith effort in 2712
assessing the person in the physical demonstrations or the 2713
competency examination conducted pursuant to division (G)(4) of 2714
section 2923.125 of the Revised Code as it existed prior to the 2715
effective date of this amendment. 2716

(b) The entity or instructor did not issue the renewed 2717
competency certificate with malicious purpose, in bad faith, or in 2718
a wanton or reckless manner. 2719

(5) A law enforcement agency that employs a peace officer is 2720
immune from liability in a civil action to recover damages for 2721
injury, death, or loss to person or property allegedly caused by 2722
any act of that peace officer if the act occurred while the peace 2723
officer carried a concealed handgun and was off duty and if the 2724
act allegedly involved the peace officer's use of the concealed 2725
handgun. Sections 9.86 and 9.87, and Chapter 2744., of the Revised 2726
Code apply to any civil action involving a peace officer's use of 2727
a concealed handgun in the performance of the peace officer's 2728
official duties while the peace officer is off duty. 2729

(B)(1) Notwithstanding section 149.43 of the Revised Code, 2730
except as provided in division (B)(2) of this section, the records 2731
that a sheriff keeps relative to the issuance, renewal, 2732
suspension, or revocation of a ~~license to carry a concealed~~ 2733
~~handgun or the issuance, suspension, or revocation of a temporary~~ 2734
~~emergency license to carry a concealed handgun~~ license, including, 2735
but not limited to, completed applications for the issuance or 2736

renewal of a license, completed affidavits submitted regarding an 2737
application for a license on a temporary emergency license basis, 2738
reports of criminal records checks and incompetency records checks 2739
under section 311.41 of the Revised Code, and applicants' social 2740
security numbers and fingerprints that are obtained under division 2741
(A) of section 311.41 of the Revised Code, are confidential and 2742
are not public records. Except as provided in division (B)(2) of 2743
this section, no person shall release or otherwise disseminate 2744
records that are confidential under this division unless required 2745
to do so pursuant to a court order. 2746

(2)(a) A journalist, on or after April 8, 2004, may submit to 2747
a sheriff a signed, written request to view the name, county of 2748
residence, and date of birth of each person to whom the sheriff 2749
has issued ~~a license or replacement license to carry a concealed~~ 2750
~~handgun, renewed a license to carry a concealed handgun, or issued~~ 2751
~~a temporary emergency license or replacement temporary emergency~~ 2752
~~license to carry, renewed, or issued a replacement for a concealed~~ 2753
~~handgun under section 2923.125 or 2923.1213 of the Revised Code~~ 2754
license, or a signed, written request to view the name, county of 2755
residence, and date of birth of each person for whom the sheriff 2756
has suspended or revoked ~~a license to carry a concealed handgun or~~ 2757
~~a temporary emergency license to carry a concealed handgun under~~ 2758
~~section 2923.128 of the Revised Code~~ license. The request shall 2759
include the journalist's name and title, shall include the name 2760
and address of the journalist's employer, and shall state that 2761
disclosure of the information sought would be in the public 2762
interest. If a journalist submits a signed, written request to the 2763
sheriff to view the information described in this division, the 2764
sheriff shall grant the journalist's request. The journalist shall 2765
not copy the name, county of residence, or date of birth of each 2766
person to or for whom the sheriff has issued, suspended, or 2767
revoked a license described in this division. 2768

(b) As used in division (B)(2) of this section, "journalist" 2769
means a person engaged in, connected with, or employed by any news 2770
medium, including a newspaper, magazine, press association, news 2771
agency, or wire service, a radio or television station, or a 2772
similar medium, for the purpose of gathering, processing, 2773
transmitting, compiling, editing, or disseminating information for 2774
the general public. 2775

(C) Each sheriff shall report to the Ohio peace officer 2776
training commission the number of ~~licenses to carry a~~ concealed 2777
handgun licenses that the sheriff issued, renewed, suspended, 2778
revoked, or denied under section 2923.125 of the Revised Code 2779
during the previous quarter of the calendar year, the number of 2780
applications for those licenses for which processing was suspended 2781
in accordance with division (D)(3) of section 2923.125 of the 2782
Revised Code during the previous quarter of the calendar year, and 2783
the number of concealed handgun licenses on a temporary emergency 2784
~~licenses to carry a concealed handgun~~ basis that the sheriff 2785
issued, suspended, revoked, or denied under section 2923.1213 of 2786
the Revised Code during the previous quarter of the calendar year. 2787
The sheriff shall not include in the report the name or any other 2788
identifying information of an applicant or licensee. The sheriff 2789
shall report that information in a manner that permits the 2790
commission to maintain the statistics described in division ~~(D)~~(C) 2791
of section 109.731 of the Revised Code and to timely prepare the 2792
statistical report described in that division. The information 2793
that is received by the commission under this division is a public 2794
record kept by the commission for the purposes of section 149.43 2795
of the Revised Code. 2796

(D) Law enforcement agencies may use the information a 2797
sheriff makes available through the use of the law enforcement 2798
automated data system pursuant to division (H) of section 2923.125 2799
or division (B)(2) or (D) of section 2923.1213 of the Revised Code 2800

for law enforcement purposes only. The information is confidential 2801
and is not a public record. A person who releases or otherwise 2802
disseminates this information obtained through the law enforcement 2803
automated data system in a manner not described in this division 2804
is guilty of a violation of section 2913.04 of the Revised Code. 2805

(E) Whoever violates division (B) of this section is guilty 2806
of illegal release of confidential concealed handgun license 2807
records, a felony of the fifth degree. In addition to any 2808
penalties imposed under Chapter 2929. of the Revised Code for a 2809
violation of division (B) of this section or a violation of 2810
section 2913.04 of the Revised Code described in division (D) of 2811
this section, if the offender is a sheriff, an employee of a 2812
sheriff, or any other public officer or employee, and if the 2813
violation was willful and deliberate, the offender shall be 2814
subject to a civil fine of one thousand dollars. Any person who is 2815
harmed by a violation of division (B) or (C) of this section or a 2816
violation of section 2913.04 of the Revised Code described in 2817
division (D) of this section has a private cause of action against 2818
the offender for any injury, death, or loss to person or property 2819
that is a proximate result of the violation and may recover court 2820
costs and attorney's fees related to the action. 2821

Sec. 2923.1210. The application for a ~~license to carry a~~ 2822
concealed handgun license or for the renewal of a license of that 2823
nature that is to be used under section 2923.125 of the Revised 2824
Code shall conform substantially to the following forms: 2825

"Ohio Peace APPLICATION FOR A LICENSE TO 2826
Officer CARRY A CONCEALED HANDGUN
Training
Commission

Please Type or Print in Ink 2827

SECTION I. 2828

This application will not be processed unless
all applicable questions have been answered and
until all required supporting documents as
described in division (B) or (F) of section
2923.125 of the Ohio Revised Code and, unless
waived, a cashier's check, certified check, or
money order in the amount of the applicable
license fee or license renewal fee have been
submitted. FEES ARE NONREFUNDABLE.

SECTION II. 2830

Name: 2831

Last	First	Middle	
			2832

..... 2833

Social Security Number: 2834

Current Residence: 2835

Street	City	State	County	Zip	2836
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..... 2837

Mailing Address (If Different From Above): 2838

Street	City	State	Zip	2839
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..... 2840

Date of Birth	Place of Birth	Sex	Race	Residence	2841
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Telephone

. . . . / / (. . .) 2842

SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO 2843

(1)(a) Are you legally living in the United States? YES NO 2844

(b) Have you been a resident of Ohio for at YES NO 2845

least forty-five days and have you been a resident for thirty days of the county with whose sheriff you are filing this application or of a county adjacent to that county?

(2) Are you at least twenty-one years of age?	.... YES	.... NO	2846
(3) Are you a fugitive from justice?	.... YES	.... NO	2847
(4) Are you under indictment for a felony, or,	.... YES	.... NO	2848

except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to a felony, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be a felony if committed by an adult?

(5) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to YES NO	2849
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section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be an offense of that nature if committed by an adult?

(6) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within three years of the date of this application, a misdemeanor that is an offense of violence or the offense of possessing a revoked or suspended concealed handgun license, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child within three years of the date of this application for committing an act that would be a misdemeanor of that nature if committed by an adult? YES NO 2850

(7) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within ten years of the date YES NO 2851

of this application, resisting arrest, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child for committing, within ten years of the date of this application an act that if committed by an adult would be the offense of resisting arrest?

(8)(a) Are you under indictment for or otherwise charged with assault or negligent assault? YES NO	2852
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(b) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child two or more times for committing assault or negligent assault within five years of the date of this application? YES NO	2853
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(c) Except for a conviction, guilty plea, or delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of, pleaded guilty to, or adjudicated a delinquent child for assaulting a peace officer? YES NO	2854
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(9)(a) Have you ever been adjudicated as a mental defective? YES NO	2855
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(b) Have you ever been committed to a mental institution? YES NO	2856
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(10) Are you currently subject to a civil YES NO	2857
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protection order, a temporary protection
order, or a protection order issued by a court
of another state?

(11) Are you currently subject to a suspension YES NO 2858
imposed under division (A)(2) of section
2923.128 of the Revised Code of a ~~license to~~
~~carry a concealed handgun, or a temporary~~
~~emergency license to carry a concealed~~
handgun, license that previously was issued to
you?

SECTION IV. YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY 2859
PROVIDING, TO THE BEST OF YOUR KNOWLEDGE, THE ADDRESS OF EACH 2860
PLACE OF RESIDENCE AT WHICH YOU RESIDED AT ANY TIME AFTER YOU 2861
ATTAINED EIGHTEEN YEARS OF AGE AND UNTIL YOU COMMENCED YOUR 2862
RESIDENCE AT THE LOCATION IDENTIFIED IN SECTION II OF THIS FORM, 2863
AND THE DATES OF RESIDENCE AT EACH OF THOSE ADDRESSES. IF YOU NEED 2864
MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT 2865
INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT 2866
AT THE END OF THIS SECTION. 2867

Residence 1: 2868

Street	City	State	County	Zip
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2869

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2870

Dates of residence at this address
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2871

Residence 2: 2872

Street	City	State	County	Zip
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2873

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2874

Dates of residence at this address
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2875

Residence 3: 2876

Street	City	State	County	Zip
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2877

.....
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2878

Dates of residence at this address
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2879

Residence 4: 2880

Street	City	State	County	Zip	2881
.....	2882
Dates of residence at this address					2883
SECTION V.					2884
YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY ANSWERING THE					2885
QUESTION POSED IN PART (1) AND, IF THE ANSWER TO THE QUESTION IS					2886
"YES," BY PROVIDING IN PART (2) THE INFORMATION SPECIFIED. IF YOU					2887
NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT					2888
INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT					2889
AT THE END OF THIS SECTION.					2890
(1) Have you previously applied in any county YES NO					2891
in Ohio or in any other state for a license to					
carry a concealed handgun or a temporary					
emergency license to carry a concealed handgun					
<u>license</u> ?					
(2) If your answer to the question in part (1) of this section of					2892
the application is "yes," you must complete this part by listing					2893
each county in Ohio, and each other state, in which you previously					2894
applied for either type of a license and, to the best of your					2895
knowledge, the date on which you made the application.					2896
Previous application made in (insert name of Ohio					2897
county or other state) on (insert date of					2898
application.)					2899
Previous application made in (insert name of Ohio					2900
county or other state) on (insert date of					2901
application.)					2902
Previous application made in (insert name of Ohio					2903
county or other state) on (insert date of					2904
application.)					2905
Previous application made in (insert name of Ohio					2906
county or other state) on (insert date of					2907

application.) 2908

SECTION VI. 2909

AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR 2910
SUBMITS FALSE INFORMATION ON, OR A FALSE DOCUMENT WITH THE 2911
APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A 2912
CONCEALED HANDGUN LICENSE, A FELONY OF THE FOURTH DEGREE, IN 2913
VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE. 2914

(1) I have read the pamphlet that explains the Ohio firearms laws, 2915
that provides instruction in dispute resolution and explains 2916
the Ohio laws related to that matter, and that provides 2917
information regarding all aspects of the use of deadly force 2918
with a firearm, and I am knowledgeable of the provisions of 2919
those laws and of the information on those matters. 2920

(2) I desire a legal means to carry a concealed handgun for 2921
defense of myself or a member of my family while engaged in 2922
lawful activity. 2923

(3) I have never been convicted of or pleaded guilty to a crime of 2924
violence in the state of Ohio or elsewhere (if you have been 2925
convicted of or pleaded guilty to such a crime, but the 2926
records of that conviction or guilty plea have been sealed or 2927
expunged by court order or a court has granted relief 2928
pursuant to section 2923.14 of the Revised Code from the 2929
disability imposed pursuant to section 2923.13 of the Revised 2930
Code relative to that conviction or guilty plea, you may 2931
treat the conviction or guilty plea for purposes of this 2932
paragraph as if it never had occurred). I am of sound mind. I 2933
hereby certify that the statements contained herein are true 2934
and correct to the best of my knowledge and belief. I 2935
understand that if I knowingly make any false statements 2936
herein I am subject to penalties prescribed by law. I 2937
authorize the sheriff or the sheriff's designee to inspect 2938

only those records or documents relevant to information	2939
required for this application.	2940
(4) The information contained in this application and all attached	2941
documents are true and correct to the best of my knowledge.	2942
.....	2943
Signature of Applicant"	2944
"Ohio Peace APPLICATION TO RENEW A LICENSE	2945
Officer TO CARRY A CONCEALED HANDGUN	
Training	
Commission	
Please Type or Print in Ink	2946
SECTION I.	2947
This application will not be processed unless	2948
all applicable questions have been answered and	
until all required supporting documents as	
described in division (B) or (F) of section	
2923.125 of the Ohio Revised Code and, unless	
waived, a cashier's check, certified check, or	
money order in the amount of the applicable	
license fee or license renewal fee have been	
submitted. FEES ARE NONREFUNDABLE.	
SECTION II.	2949
Name:	2950
Last First Middle	2951
.....	2952
Social Security Number:	2953
Current Residence:	2954
Street City State County Zip	2955
.....	2956
Mailing Address (If Different From Above):	2957
Street City State Zip	2958

.....	.....	.....	.....	.....	2959
Date of Birth	Place of Birth	Sex	Race	Residence	2960
				Telephone	
...../...../.....	.....	....	.....	(... ).....	2961
SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO					2962
(1)(a) Are you legally living in the United States?					2963
(b) Have you been a resident of Ohio for at least forty-five days and have you been a resident for thirty days of the county with whose sheriff you are filing this application or of a county adjacent to that county?					2964
(2) Are you at least twenty-one years of age?					2965
(3) Are you a fugitive from justice?					2966
(4) Are you under indictment for a felony, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to a felony, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be a felony if committed by an adult?					2967
(5) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to					2968

which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be an offense of that nature if committed by an adult?

(6) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within three years of the date of this application, a misdemeanor that is an offense of violence or the offense of possessing a revoked or suspended concealed handgun license, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a YES NO	2969
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delinquent child within three years of the date of this application for committing an act that would be a misdemeanor of that nature if committed by an adult?

(7) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within ten years of the date of this application, resisting arrest, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child for committing, within ten years of the date of this application an act that if committed by an adult would be the offense of resisting arrest? YES NO 2970

(8)(a) Are you under indictment for or otherwise charged with assault or negligent assault? YES NO 2971

(b) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child two or more times for committing assault or negligent assault within five years of the date of this application? YES NO 2972

(c) Except for a conviction, guilty plea, or delinquent child adjudication the records of YES NO 2973

which a court has ordered sealed or expunged
or relative to which a court has granted
relief from disability pursuant to section
2923.14 of the Revised Code, have you ever
been convicted of, pleaded guilty to, or
adjudicated a delinquent child for assaulting
a peace officer?

(9)(a) Have you ever been adjudicated as a YES NO 2974
mental defective?

(b) Have you ever been committed to a mental YES NO 2975
institution?

(10) Are you currently subject to a civil YES NO 2976
protection order, a temporary protection
order, or a protection order issued by a court
of another state?

(11) Are you currently subject to a suspension YES NO 2977
imposed under division (A)(2) of section
2923.128 of the Revised Code of a ~~license to~~
~~carry a concealed handgun, or a temporary~~
~~emergency license to carry a concealed~~
handgun, license that previously was issued to
you?

SECTION IV. YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY 2978
PROVIDING, TO THE BEST OF YOUR KNOWLEDGE, THE ADDRESS OF EACH 2979
PLACE OF RESIDENCE AT WHICH YOU RESIDED AT ANY TIME AFTER YOU LAST 2980
APPLIED FOR AN OHIO CONCEALED HANDGUN LICENSE THROUGH THE TIME YOU 2981
COMMENCED YOUR RESIDENCE AT THE LOCATION IDENTIFIED IN SECTION II 2982
OF THIS FORM, AND THE DATES OF RESIDENCE AT EACH OF THOSE 2983
ADDRESSES. IF YOU NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET 2984
WITH THE RELEVANT INFORMATION, ATTACH IT TO THE APPLICATION, AND 2985
NOTE THE ATTACHMENT AT THE END OF THIS SECTION. 2986

Residence 1: 2987

Street	City	State	County	Zip	2988
.....	.....	.....	.....	.....	2989
Dates of residence at this address					2990
Residence 2:					2991
Street	City	State	County	Zip	2992
.....	.....	.....	.....	.....	2993
Dates of residence at this address					2994
Residence 3:					2995
Street	City	State	County	Zip	2996
.....	.....	.....	.....	.....	2997
Dates of residence at this address					2998
Residence 4:					2999
Street	City	State	County	Zip	3000
.....	.....	.....	.....	.....	3001
Dates of residence at this address					3002
SECTION V.					3003
YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY ANSWERING THE					3004
QUESTION POSED IN PART (1) AND, IF THE ANSWER TO THE QUESTION IS					3005
"YES," BY PROVIDING IN PART (2) THE INFORMATION SPECIFIED. IF YOU					3006
NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT					3007
INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT					3008
AT THE END OF THIS SECTION.					3009
(1) Have you previously applied in any county YES NO					3010
in Ohio or in any other state for a license to					
carry a concealed handgun or a temporary					
emergency license to carry a concealed handgun					
<u>license</u> ?					
(2) If your answer to the question in part (1) of this section of					3011
the application is "yes," you must complete this part by listing					3012
each county in Ohio, and each other state, in which you previously					3013
applied for either type of a license and, to the best of your					3014

knowledge, the date on which you made the application. 3015

Previous application made in (insert name of Ohio 3016
county or other state) on (insert date of 3017
application.) 3018

Previous application made in (insert name of Ohio 3019
county or other state) on (insert date of 3020
application.) 3021

Previous application made in (insert name of Ohio 3022
county or other state) on (insert date of 3023
application.) 3024

Previous application made in (insert name of Ohio 3025
county or other state) on (insert date of 3026
application.) 3027

SECTION VI. 3028

AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR 3029
SUBMITS FALSE INFORMATION ON, OR A FALSE DOCUMENT WITH THE 3030
APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A 3031
CONCEALED HANDGUN LICENSE, A FELONY OF THE FOURTH DEGREE, IN 3032
VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE. 3033

(1) I have read the pamphlet that explains the Ohio firearms laws, 3034
that provides instruction in dispute resolution and explains 3035
the Ohio laws related to that matter, and that provides 3036
information regarding all aspects of the use of deadly force 3037
with a firearm, and I am knowledgeable of the provisions of 3038
those laws and of the information on those matters. 3039

(2) I desire a legal means to carry a concealed handgun for 3040
defense of myself or a member of my family while engaged in 3041
lawful activity. 3042

(3) I have never been convicted of or pleaded guilty to a crime of 3043
violence in the state of Ohio or elsewhere (if you have been 3044

convicted of or pleaded guilty to such a crime, but the 3045
records of that conviction or guilty plea have been sealed or 3046
expunged by court order or a court has granted relief 3047
pursuant to section 2923.14 of the Revised Code from the 3048
disability imposed pursuant to section 2923.13 of the Revised 3049
Code relative to that conviction or guilty plea, you may 3050
treat the conviction or guilty plea for purposes of this 3051
paragraph as if it never had occurred). I am of sound mind. I 3052
hereby certify that the statements contained herein are true 3053
and correct to the best of my knowledge and belief. I 3054
understand that if I knowingly make any false statements 3055
herein I am subject to penalties prescribed by law. I 3056
authorize the sheriff or the sheriff's designee to inspect 3057
only those records or documents relevant to information 3058
required for this application. 3059

(4) The information contained in this application and all attached 3060
documents are true and correct to the best of my knowledge. 3061
..... 3062
Signature of Applicant" 3063

Sec. 2923.1211. (A) No person shall alter a ~~license or~~ 3064
~~temporary emergency license to carry a~~ concealed handgun ~~that was~~ 3065
~~issued pursuant to section 2923.125 or 2923.1213 of the Revised~~ 3066
Code license or create a fictitious document that purports to be a 3067
license of that nature. 3068

(B) No person, except in the performance of official duties, 3069
shall possess a ~~license to carry a~~ concealed handgun license that 3070
was issued and that has been revoked or suspended ~~pursuant to~~ 3071
~~section 2923.128 of the Revised Code or a temporary emergency~~ 3072
~~license to carry a concealed handgun that was issued and that has~~ 3073
~~been revoked pursuant to section 2923.1213 of the Revised Code.~~ 3074

(C) Whoever violates division (A) of this section is guilty 3075

of falsification of a concealed handgun license, a felony of the 3076
fifth degree. Whoever violates division (B) of this section is 3077
guilty of possessing a revoked or suspended concealed handgun 3078
license, a misdemeanor of the third degree. 3079

Sec. 2923.1213. (A) As used in this section: 3080

(1) "Evidence of imminent danger" means any of the following: 3081

(a) A statement sworn by the person seeking to carry a 3082
concealed handgun that is made under threat of perjury and that 3083
states that the person has reasonable cause to fear a criminal 3084
attack upon the person or a member of the person's family, such as 3085
would justify a prudent person in going armed; 3086

(b) A written document prepared by a governmental entity or 3087
public official describing the facts that give the person seeking 3088
to carry a concealed handgun reasonable cause to fear a criminal 3089
attack upon the person or a member of the person's family, such as 3090
would justify a prudent person in going armed. Written documents 3091
of this nature include, but are not limited to, any temporary 3092
protection order, civil protection order, protection order issued 3093
by another state, or other court order, any court report, and any 3094
report filed with or made by a law enforcement agency or 3095
prosecutor. 3096

(2) "Prosecutor" has the same meaning as in section 2935.01 3097
of the Revised Code. 3098

(B)(1) A person seeking a ~~temporary emergency license to~~ 3099
~~carry a concealed handgun~~ license on a temporary emergency basis 3100
shall submit to the sheriff of the county in which the person 3101
resides all of the following: 3102

(a) Evidence of imminent danger to the person or a member of 3103
the person's family; 3104

(b) A sworn affidavit that contains all of the information 3105

required to be on the license and attesting that the person is 3106
legally living in the United States; is at least twenty-one years 3107
of age; is not a fugitive from justice; is not under indictment 3108
for or otherwise charged with an offense identified in division 3109
(D)(1)(d) of section 2923.125 of the Revised Code; has not been 3110
convicted of or pleaded guilty to an offense, and has not been 3111
adjudicated a delinquent child for committing an act, identified 3112
in division (D)(1)(e) of that section and to which division (B)(3) 3113
of this section does not apply; within three years of the date of 3114
the submission, has not been convicted of or pleaded guilty to an 3115
offense, and has not been adjudicated a delinquent child for 3116
committing an act, identified in division (D)(1)(f) of that 3117
section and to which division (B)(3) of this section does not 3118
apply; within five years of the date of the submission, has not 3119
been convicted of, pleaded guilty, or adjudicated a delinquent 3120
child for committing two or more violations identified in division 3121
(D)(1)(g) of that section; within ten years of the date of the 3122
submission, has not been convicted of, pleaded guilty, or 3123
adjudicated a delinquent child for committing a violation 3124
identified in division (D)(1)(h) of that section and to which 3125
division (B)(3) of this section does not apply; has not been 3126
adjudicated as a mental defective, has not been committed to any 3127
mental institution, is not under adjudication of mental 3128
incompetence, has not been found by a court to be a mentally ill 3129
person subject to hospitalization by court order, and is not an 3130
involuntary patient other than one who is a patient only for 3131
purposes of observation, as described in division (D)(1)(i) of 3132
that section; is not currently subject to a civil protection 3133
order, a temporary protection order, or a protection order issued 3134
by a court of another state, as described in division (D)(1)(j) of 3135
that section; and is not currently subject to a suspension imposed 3136
under division (A)(2) of section 2923.128 of the Revised Code of a 3137
~~license to carry a concealed handgun, or a temporary emergency~~ 3138

~~license to carry a~~ concealed handgun, license that previously was 3139
issued to the person; 3140

(c) A nonrefundable temporary emergency license fee as 3141
described in either of the following: 3142

(i) For an applicant who has been a resident of this state 3143
for five or more years, a fee of fifteen dollars plus the actual 3144
cost of having a background check performed by the bureau of 3145
criminal identification and investigation pursuant to section 3146
311.41 of the Revised Code; 3147

(ii) For an applicant who has been a resident of this state 3148
for less than five years, a fee of fifteen dollars plus the actual 3149
cost of having background checks performed by the federal bureau 3150
of investigation and the bureau of criminal identification and 3151
investigation pursuant to section 311.41 of the Revised Code. 3152

(d) A set of fingerprints of the applicant provided as 3153
described in section 311.41 of the Revised Code through use of an 3154
electronic fingerprint reading device or, if the sheriff to whom 3155
the application is submitted does not possess and does not have 3156
ready access to the use of an electronic fingerprint reading 3157
device, on a standard impression sheet prescribed pursuant to 3158
division (C)(2) of section 109.572 of the Revised Code. If the 3159
fingerprints are provided on a standard impression sheet, the 3160
person also shall provide the person's social security number to 3161
the sheriff. 3162

(2) A sheriff shall accept the evidence of imminent danger, 3163
the sworn affidavit, the fee, and the set of fingerprints required 3164
under division (B)(1) of this section at the times and in the 3165
manners described in division (I) of this section. Upon receipt of 3166
the evidence of imminent danger, the sworn affidavit, the fee, and 3167
the set of fingerprints required under division (B)(1) of this 3168
section, the sheriff, in the manner specified in section 311.41 of 3169

the Revised Code, immediately shall conduct or cause to be 3170
conducted the criminal records check and the incompetency records 3171
check described in section 311.41 of the Revised Code. Immediately 3172
upon receipt of the results of the records checks, the sheriff 3173
shall review the information and shall determine whether the 3174
criteria set forth in divisions (D)(1)(a) to (j) and (m) of 3175
section 2923.125 of the Revised Code apply regarding the person. 3176
If the sheriff determines that all of criteria set forth in 3177
divisions (D)(1)(a) to (j) and (m) of section 2923.125 of the 3178
Revised Code apply regarding the person, the sheriff shall 3179
immediately make available through the law enforcement automated 3180
data system all information that will be contained on the 3181
temporary emergency license for the person if one is issued, and 3182
the superintendent of the state highway patrol shall ensure that 3183
the system is so configured as to permit the transmission through 3184
the system of that information. Upon making that information 3185
available through the law enforcement automated data system, the 3186
sheriff shall immediately issue to the person a ~~temporary~~ 3187
~~emergency license to carry a~~ concealed handgun license on a 3188
temporary emergency basis. 3189

If the sheriff denies the issuance of a ~~temporary emergency~~ 3190
license on a temporary emergency basis to the person, the sheriff 3191
shall specify the grounds for the denial in a written notice to 3192
the person. The person may appeal the denial, or challenge 3193
criminal records check results that were the basis of the denial 3194
if applicable, in the same manners specified in division (D)(2) of 3195
section 2923.125 and in section 2923.127 of the Revised Code, 3196
regarding the denial of an application for a ~~license to carry a~~ 3197
concealed handgun license under that section. 3198

The ~~temporary emergency~~ license on a temporary emergency 3199
basis issued under this division shall be in the form, and shall 3200
include all of the information, described in divisions (A)(2) and 3201

(5) of section 109.731 of the Revised Code, and also shall include 3202
a unique combination of identifying letters and numbers in 3203
accordance with division (A)(4) of that section. 3204

The ~~temporary emergency~~ license on a temporary emergency 3205
basis issued under this division is valid for ninety days and may 3206
not be renewed. A person who has been issued a ~~temporary emergency~~ 3207
license on a temporary emergency basis under this division shall 3208
not be issued another ~~temporary emergency~~ license on a temporary 3209
emergency basis unless at least four years has expired since the 3210
issuance of the prior ~~temporary emergency~~ license on a temporary 3211
emergency basis. 3212

(3) If a person seeking a ~~temporary emergency license to~~ 3213
~~carry a~~ concealed handgun license on a temporary emergency basis 3214
has been convicted of or pleaded guilty to an offense identified 3215
in division (D)(1)(e), (f), or (h) of section 2923.125 of the 3216
Revised Code or has been adjudicated a delinquent child for 3217
committing an act or violation identified in any of those 3218
divisions, and if a court has ordered the sealing or expungement 3219
of the records of that conviction, guilty plea, or adjudication 3220
pursuant to sections 2151.355 to 2151.358 or sections 2953.31 to 3221
2953.36 of the Revised Code or a court has granted the applicant 3222
relief pursuant to section 2923.14 of the Revised Code from the 3223
disability imposed pursuant to section 2923.13 of the Revised Code 3224
relative to that conviction, guilty plea, or adjudication, the 3225
conviction, guilty plea, or adjudication shall not be relevant for 3226
purposes of the sworn affidavit described in division (B)(1)(b) of 3227
this section, and the person may complete, and swear to the truth 3228
of, the affidavit as if the conviction, guilty plea, or 3229
adjudication never had occurred. 3230

(4) The sheriff shall waive the payment pursuant to division 3231
(B)(1)(c) of this section of the license fee in connection with an 3232
application that is submitted by an applicant who is a retired 3233

peace officer, a retired person described in division (B)(1)(b) of 3234
section 109.77 of the Revised Code, or a retired federal law 3235
enforcement officer who, prior to retirement, was authorized under 3236
federal law to carry a firearm in the course of duty, unless the 3237
retired peace officer, person, or federal law enforcement officer 3238
retired as the result of a mental disability. 3239

The sheriff shall deposit all fees paid by an applicant under 3240
division (B)(1)(c) of this section into the sheriff's concealed 3241
handgun license issuance fund established pursuant to section 3242
311.42 of the Revised Code. 3243

(C) A person who holds a ~~temporary emergency license to carry~~ 3244
a concealed handgun license on a temporary emergency basis has the 3245
same right to carry a concealed handgun as a person who was issued 3246
a ~~license to carry a concealed handgun license~~ under section 3247
2923.125 of the Revised Code, and any exceptions to the 3248
prohibitions contained in section 1547.69 and sections 2923.12 to 3249
2923.16 of the Revised Code for a licensee under section 2923.125 3250
of the Revised Code apply to a licensee under this section. The 3251
person is subject to the same restrictions, and to all other 3252
procedures, duties, and sanctions, that apply to a person who 3253
carries a license issued under section 2923.125 of the Revised 3254
Code, other than the license renewal procedures set forth in that 3255
section. 3256

(D) A sheriff who issues a ~~temporary emergency license to~~ 3257
~~carry a concealed handgun~~ license on a temporary emergency basis 3258
under this section shall not require a person seeking to carry a 3259
concealed handgun in accordance with this section to submit a 3260
competency certificate as a prerequisite for issuing the license 3261
and shall comply with division (H) of section 2923.125 of the 3262
Revised Code in regards to the license. The sheriff shall suspend 3263
or revoke the license in accordance with section 2923.128 of the 3264
Revised Code. In addition to the suspension or revocation 3265

procedures set forth in section 2923.128 of the Revised Code, the 3266
sheriff may revoke the license upon receiving information, 3267
verifiable by public documents, that the person is not eligible to 3268
possess a firearm under either the laws of this state or of the 3269
United States or that the person committed perjury in obtaining 3270
the license; if the sheriff revokes a license under this 3271
additional authority, the sheriff shall notify the person, by 3272
certified mail, return receipt requested, at the person's last 3273
known residence address that the license has been revoked and that 3274
the person is required to surrender the license at the sheriff's 3275
office within ten days of the date on which the notice was mailed. 3276
Division (H) of section 2923.125 of the Revised Code applies 3277
regarding any suspension or revocation of a ~~temporary emergency~~ 3278
~~license to carry a~~ concealed handgun license on a temporary 3279
emergency basis. 3280

(E) A sheriff who issues a ~~temporary emergency license to~~ 3281
~~carry a~~ concealed handgun license on a temporary emergency basis 3282
under this section shall retain, for the entire period during 3283
which the ~~temporary emergency~~ license is in effect, the evidence 3284
of imminent danger that the person submitted to the sheriff and 3285
that was the basis for the license, or a copy of that evidence, as 3286
appropriate. 3287

(F) If a ~~temporary emergency license to carry a~~ concealed 3288
handgun license on a temporary emergency basis issued under this 3289
section is lost or is destroyed, the licensee may obtain from the 3290
sheriff who issued that license a duplicate license upon the 3291
payment of a fee of fifteen dollars and the submission of an 3292
affidavit attesting to the loss or destruction of the license. The 3293
sheriff, in accordance with the procedures prescribed in section 3294
109.731 of the Revised Code, shall place on the replacement 3295
license a combination of identifying numbers different from the 3296
combination on the license that is being replaced. 3297

(G) The Ohio peace officer training commission shall 3298
prescribe, and shall make available to sheriffs, a standard form 3299
to be used under division (B) of this section by a person who 3300
applies for a ~~temporary emergency license to carry a~~ concealed 3301
handgun license on a temporary emergency basis on the basis of 3302
imminent danger of a type described in division (A)(1)(a) of this 3303
section. 3304

(H) A sheriff who receives any fees paid by a person under 3305
this section shall deposit all fees so paid into the sheriff's 3306
concealed handgun license issuance expense fund established under 3307
section 311.42 of the Revised Code. 3308

(I) A sheriff shall accept evidence of imminent danger, a 3309
sworn affidavit, the fee, and the set of fingerprints specified in 3310
division (B)(1) of this section at any time during normal business 3311
hours. In no case shall a sheriff require an appointment, or 3312
designate a specific period of time, for the submission or 3313
acceptance of evidence of imminent danger, a sworn affidavit, the 3314
fee, and the set of fingerprints specified in division (B)(1) of 3315
this section, or for the provision to any person of a standard 3316
form to be used for a person to apply for a ~~temporary emergency~~ 3317
~~license to carry a~~ concealed handgun license on a temporary 3318
emergency basis. 3319

Sec. 2923.16. (A) No person shall knowingly discharge a 3320
firearm while in or on a motor vehicle. 3321

(B) No person shall knowingly transport or have a loaded 3322
firearm in a motor vehicle in such a manner that the firearm is 3323
accessible to the operator or any passenger without leaving the 3324
vehicle. 3325

(C) No person shall knowingly transport or have a firearm in 3326
a motor vehicle, unless the person may lawfully possess that 3327
firearm under applicable law of this state or the United States, 3328

the firearm is unloaded, and the firearm is carried in one of the 3329
following ways: 3330

(1) In a closed package, box, or case; 3331

(2) In a compartment that can be reached only by leaving the 3332
vehicle; 3333

(3) In plain sight and secured in a rack or holder made for 3334
the purpose; 3335

(4) If the firearm is at least twenty-four inches in overall 3336
length as measured from the muzzle to the part of the stock 3337
furthest from the muzzle and if the barrel is at least eighteen 3338
inches in length, either in plain sight with the action open or 3339
the weapon stripped, or, if the firearm is of a type on which the 3340
action will not stay open or which cannot easily be stripped, in 3341
plain sight. 3342

(D) No person shall knowingly transport or have a loaded 3343
handgun in a motor vehicle if, at the time of that transportation 3344
or possession, any of the following applies: 3345

(1) The person is under the influence of alcohol, a drug of 3346
abuse, or a combination of them. 3347

(2) The person's whole blood, blood serum or plasma, breath, 3348
or urine contains a concentration of alcohol, a listed controlled 3349
substance, or a listed metabolite of a controlled substance 3350
prohibited for persons operating a vehicle, as specified in 3351
division (A) of section 4511.19 of the Revised Code, regardless of 3352
whether the person at the time of the transportation or possession 3353
as described in this division is the operator of or a passenger in 3354
the motor vehicle. 3355

(E) No person who has been issued a ~~license or temporary~~ 3356
~~emergency license to carry a concealed handgun under section~~ 3357
~~2923.125 or 2923.1213 of the Revised Code or a license to carry a~~ 3358

concealed handgun ~~that was issued to the person by another state~~ 3359
~~with which the attorney general has entered into a reciprocity~~ 3360
~~agreement under section 109.69 of the Revised Code~~ license, who is 3361
the driver or an occupant of a motor vehicle that is stopped as a 3362
result of a traffic stop or a stop for another law enforcement 3363
purpose or is the driver or an occupant of a commercial motor 3364
vehicle that is stopped by an employee of the motor carrier 3365
enforcement unit for the purposes defined in section 5503.34 of 3366
the Revised Code, and who is transporting or has a loaded handgun 3367
in the motor vehicle or commercial motor vehicle in any manner, 3368
shall do any of the following: 3369

(1) Fail to promptly inform any law enforcement officer who 3370
approaches the vehicle while stopped that the person has been 3371
issued a ~~license or temporary emergency license to carry a~~ 3372
concealed handgun license and that the person then possesses or 3373
has a loaded handgun in the motor vehicle; 3374

(2) Fail to promptly inform the employee of the unit who 3375
approaches the vehicle while stopped that the person has been 3376
issued a ~~license or temporary emergency license to carry a~~ 3377
concealed handgun license and that the person then possesses or 3378
has a loaded handgun in the commercial motor vehicle; 3379

(3) Knowingly fail to remain in the motor vehicle while 3380
stopped or knowingly fail to keep the person's hands in plain 3381
sight at any time after any law enforcement officer begins 3382
approaching the person while stopped and before the law 3383
enforcement officer leaves, unless the failure is pursuant to and 3384
in accordance with directions given by a law enforcement officer; 3385

(4) Knowingly have contact with the loaded handgun by 3386
touching it with the person's hands or fingers in the motor 3387
vehicle at any time after the law enforcement officer begins 3388
approaching and before the law enforcement officer leaves, unless 3389
the person ~~removes, attempts to remove, grasps, holds, or has~~ 3390

contact with the loaded handgun pursuant to and in accordance with 3391
directions given by the law enforcement officer; 3392

(5) Knowingly disregard or fail to comply with any lawful 3393
order of any law enforcement officer given while the motor vehicle 3394
is stopped, including, but not limited to, a specific order to the 3395
person to keep the person's hands in plain sight. 3396

(F)(1) Divisions (A), (B), (C), and (E) of this section do 3397
not apply to any of the following: 3398

(a) An officer, agent, or employee of this or any other state 3399
or the United States, or a law enforcement officer, when 3400
authorized to carry or have loaded or accessible firearms in motor 3401
vehicles and acting within the scope of the officer's, agent's, or 3402
employee's duties; 3403

(b) Any person who is employed in this state, who is 3404
authorized to carry or have loaded or accessible firearms in motor 3405
vehicles, and who is subject to and in compliance with the 3406
requirements of section 109.801 of the Revised Code, unless the 3407
appointing authority of the person has expressly specified that 3408
the exemption provided in division (F)(1)(b) of this section does 3409
not apply to the person. 3410

(2) Division (A) of this section does not apply to a person 3411
if all of the following circumstances apply: 3412

(a) The person discharges a firearm from a motor vehicle at a 3413
coyote or groundhog, the discharge is not during the deer gun 3414
hunting season as set by the chief of the division of wildlife of 3415
the department of natural resources, and the discharge at the 3416
coyote or groundhog, but for the operation of this section, is 3417
lawful. 3418

(b) The motor vehicle from which the person discharges the 3419
firearm is on real property that is located in an unincorporated 3420
area of a township and that either is zoned for agriculture or is 3421

used for agriculture. 3422

(c) The person owns the real property described in division 3423
(F)(2)(b) of this section, is the spouse or a child of another 3424
person who owns that real property, is a tenant of another person 3425
who owns that real property, or is the spouse or a child of a 3426
tenant of another person who owns that real property. 3427

(d) The person does not discharge the firearm in any of the 3428
following manners: 3429

(i) While under the influence of alcohol, a drug of abuse, or 3430
alcohol and a drug of abuse; 3431

(ii) In the direction of a street, highway, or other public 3432
or private property used by the public for vehicular traffic or 3433
parking; 3434

(iii) At or into an occupied structure that is a permanent or 3435
temporary habitation; 3436

(iv) In the commission of any violation of law, including, 3437
but not limited to, a felony that includes, as an essential 3438
element, purposely or knowingly causing or attempting to cause the 3439
death of or physical harm to another and that was committed by 3440
discharging a firearm from a motor vehicle. 3441

(3) Division (A) of this section does not apply to a person 3442
if all of the following apply: 3443

(a) The person possesses a valid electric-powered all-purpose 3444
vehicle permit issued under section 1533.103 of the Revised Code 3445
by the chief of the division of wildlife. 3446

(b) The person discharges a firearm at a wild quadruped or 3447
game bird as defined in section 1531.01 of the Revised Code during 3448
the open hunting season for the applicable wild quadruped or game 3449
bird. 3450

(c) The person discharges a firearm from a stationary 3451

electric-powered all-purpose vehicle as defined in section 1531.01 3452
of the Revised Code or a motor vehicle that is parked on a road 3453
that is owned or administered by the division of wildlife, 3454
provided that the road is identified by an electric-powered 3455
all-purpose vehicle sign. 3456

(d) The person does not discharge the firearm in any of the 3457
following manners: 3458

(i) While under the influence of alcohol, a drug of abuse, or 3459
alcohol and a drug of abuse; 3460

(ii) In the direction of a street, a highway, or other public 3461
or private property that is used by the public for vehicular 3462
traffic or parking; 3463

(iii) At or into an occupied structure that is a permanent or 3464
temporary habitation; 3465

(iv) In the commission of any violation of law, including, 3466
but not limited to, a felony that includes, as an essential 3467
element, purposely or knowingly causing or attempting to cause the 3468
death of or physical harm to another and that was committed by 3469
discharging a firearm from a motor vehicle. 3470

(4) Divisions (B) and (C) of this section do not apply to a 3471
person if all of the following circumstances apply: 3472

(a) At the time of the alleged violation of either of those 3473
divisions, the person is the operator of or a passenger in a motor 3474
vehicle. 3475

(b) The motor vehicle is on real property that is located in 3476
an unincorporated area of a township and that either is zoned for 3477
agriculture or is used for agriculture. 3478

(c) The person owns the real property described in division 3479
(D)(4)(b) of this section, is the spouse or a child of another 3480
person who owns that real property, is a tenant of another person 3481

who owns that real property, or is the spouse or a child of a 3482
tenant of another person who owns that real property. 3483

(d) The person, prior to arriving at the real property 3484
described in division (D)(4)(b) of this section, did not transport 3485
or possess a firearm in the motor vehicle in a manner prohibited 3486
by division (B) or (C) of this section while the motor vehicle was 3487
being operated on a street, highway, or other public or private 3488
property used by the public for vehicular traffic or parking. 3489

(5) Divisions (B) and (C) of this section do not apply to a 3490
person who transports or possesses a handgun in a motor vehicle 3491
if, at the time of that transportation or possession, both of the 3492
following apply: 3493

(a) The person transporting or possessing the handgun is 3494
~~carrying a valid license or temporary emergency license to carry a~~ 3495
~~concealed handgun issued to the person under section 2923.125 or~~ 3496
~~2923.1213 of the Revised Code or a license to carry a concealed~~ 3497
~~handgun that was issued by another state with which the attorney~~ 3498
~~general has entered into a reciprocity agreement under section~~ 3499
~~109.69 of the Revised Code~~ license. 3500

(b) The person transporting or possessing the handgun is not 3501
knowingly in a place described in division (B) of section 2923.126 3502
of the Revised Code. 3503

(6) Divisions (B) and (C) of this section do not apply to a 3504
person if all of the following apply: 3505

(a) The person possesses a valid electric-powered all-purpose 3506
vehicle permit issued under section 1533.103 of the Revised Code 3507
by the chief of the division of wildlife. 3508

(b) The person is on or in an electric-powered all-purpose 3509
vehicle as defined in section 1531.01 of the Revised Code or a 3510
motor vehicle during the open hunting season for a wild quadruped 3511
or game bird. 3512

(c) The person is on or in an electric-powered all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle that is parked on a road that is owned or administered by the division of wildlife, provided that the road is identified by an electric-powered all-purpose vehicle sign.

(7) Nothing in this section prohibits or restricts a person from possessing, storing, or leaving a firearm in a locked motor vehicle that is parked in the state underground parking garage at the state capitol building or in the parking garage at the Riffe center for government and the arts in Columbus, if the person's transportation and possession of the firearm in the motor vehicle while traveling to the premises or facility was not in violation of division (A), (B), (C), (D), or (E) of this section or any other provision of the Revised Code.

(G)(1) The affirmative defenses authorized in divisions (D)(1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (B) or (C) of this section that involves a firearm other than a handgun.

(2) It is an affirmative defense to a charge under division (B) or (C) of this section of improperly handling firearms in a motor vehicle that the actor transported or had the firearm in the motor vehicle for any lawful purpose and while the motor vehicle was on the actor's own property, provided that this affirmative defense is not available unless the person, immediately prior to arriving at the actor's own property, did not transport or possess the firearm in a motor vehicle in a manner prohibited by division (B) or (C) of this section while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

(H)(1) No person who is charged with a violation of division (B), (C), or (D) of this section shall be required to obtain a ~~license or temporary emergency license to carry a~~ concealed

handgun ~~under section 2923.125 or 2923.1213 of the Revised Code~~ 3545
license as a condition for the dismissal of the charge. 3546

(2)(a) If a person is convicted of, was convicted of, pleads 3547
guilty to, or has pleaded guilty to a violation of division (E) of 3548
this section as it existed prior to ~~the effective date of this~~ 3549
~~amendment~~ September 30, 2011, and if the conduct that was the 3550
basis of the violation no longer would be a violation of division 3551
(E) of this section on or after ~~the effective date of this~~ 3552
~~amendment~~ September 30, 2011, the person may file an application 3553
under section 2953.37 of the Revised Code requesting the 3554
expungement of the record of conviction. 3555

If a person is convicted of, was convicted of, pleads guilty 3556
to, or has pleaded guilty to a violation of division (B) or (C) of 3557
this section as the division existed prior to ~~the effective date~~ 3558
~~of this amendment~~ September 30, 2011, and if the conduct that was 3559
the basis of the violation no longer would be a violation of 3560
division (B) or (C) of this section on or after ~~the effective date~~ 3561
~~of this amendment~~ September 30, 2011, due to the application of 3562
division (F)(5) of this section as it exists on and after ~~the~~ 3563
~~effective date of this amendment~~ September 30, 2011, the person 3564
may file an application under section 2953.37 of the Revised Code 3565
requesting the expungement of the record of conviction. 3566

(b) The attorney general shall develop a public media 3567
advisory that summarizes the expungement procedure established 3568
under section 2953.37 of the Revised Code and the offenders 3569
identified in division (H)(2)(a) of this section who are 3570
authorized to apply for the expungement. Within thirty days after 3571
~~the effective date of this amendment~~ September 30, 2011, the 3572
attorney general shall provide a copy of the advisory to each 3573
daily newspaper published in this state and each television 3574
station that broadcasts in this state. The attorney general may 3575
provide the advisory in a tangible form, an electronic form, or in 3576

both tangible and electronic forms. 3577

(I) Whoever violates this section is guilty of improperly 3578
handling firearms in a motor vehicle. Violation of division (A) of 3579
this section is a felony of the fourth degree. Violation of 3580
division (C) of this section is a misdemeanor of the fourth 3581
degree. A violation of division (D) of this section is a felony of 3582
the fifth degree or, if the loaded handgun is concealed on the 3583
person's person, a felony of the fourth degree. Except as 3584
otherwise provided in this division, a violation of division 3585
(E)(1) or (2) of this section is a misdemeanor of the first 3586
degree, and, in addition to any other penalty or sanction imposed 3587
for the violation, the offender's ~~license or temporary emergency~~ 3588
~~license to carry a~~ concealed handgun license shall be suspended 3589
pursuant to division (A)(2) of section 2923.128 of the Revised 3590
Code. If at the time of the stop of the offender for a traffic 3591
stop, for another law enforcement purpose, or for a purpose 3592
defined in section 5503.34 of the Revised Code that was the basis 3593
of the violation any law enforcement officer involved with the 3594
stop or the employee of the motor carrier enforcement unit who 3595
made the stop had actual knowledge of the offender's status as a 3596
licensee, a violation of division (E)(1) or (2) of this section is 3597
a minor misdemeanor, and the offender's ~~license or temporary~~ 3598
~~emergency license to carry a~~ concealed handgun license shall not 3599
be suspended pursuant to division (A)(2) of section 2923.128 of 3600
the Revised Code. A violation of division (E)(4) of this section 3601
is a felony of the fifth degree. A violation of division (E)(3) or 3602
(5) of this section is a misdemeanor of the first degree or, if 3603
the offender previously has been convicted of or pleaded guilty to 3604
a violation of division (E)(3) or (5) of this section, a felony of 3605
the fifth degree. In addition to any other penalty or sanction 3606
imposed for a misdemeanor violation of division (E)(3) or (5) of 3607
this section, the offender's ~~license or temporary emergency~~ 3608
~~license to carry a~~ concealed handgun license shall be suspended 3609

pursuant to division (A)(2) of section 2923.128 of the Revised Code. A violation of division (B) of this section is a felony of the fourth degree.

(J) If a law enforcement officer stops a motor vehicle for a traffic stop or any other purpose, if any person in the motor vehicle surrenders a firearm to the officer, either voluntarily or pursuant to a request or demand of the officer, and if the officer does not charge the person with a violation of this section or arrest the person for any offense, the person is not otherwise prohibited by law from possessing the firearm, and the firearm is not contraband, the officer shall return the firearm to the person at the termination of the stop. If a court orders a law enforcement officer to return a firearm to a person pursuant to the requirement set forth in this division, division (B) of section 2923.163 of the Revised Code applies.

(K) As used in this section:

(1) "Motor vehicle," "street," and "highway" have the same meanings as in section 4511.01 of the Revised Code.

(2) "Occupied structure" has the same meaning as in section 2909.01 of the Revised Code.

(3) "Agriculture" has the same meaning as in section 519.01 of the Revised Code.

(4) "Tenant" has the same meaning as in section 1531.01 of the Revised Code.

(5)(a) "Unloaded" means ~~any of the following:~~

~~(a) No, with respect to a firearm other than a firearm described in division (K)(6) of this section, that no ammunition is in the firearm in question, and no ammunition is loaded into a magazine or speed loader that may be used with containing ammunition is inserted into the firearm in question and that is~~

located anywhere within the vehicle in question, without regard to 3640
where ammunition otherwise is located within the vehicle in 3641
~~question.~~, and one of the following applies: 3642

(i) There is no ammunition in a magazine or speed loader that 3643
is in the vehicle in question and that may be used with the 3644
firearm in question. 3645

(ii) Any magazine or speed loader that contains ammunition 3646
and that may be used with the firearm in question is stored in a 3647
compartment within the vehicle in question that cannot be accessed 3648
without leaving the vehicle or is stored in a container that 3649
provides complete and separate enclosure. 3650

(b) For the purposes of division (K)(5)(a)(ii) of this 3651
section, a "container that provides complete and separate 3652
enclosure" includes, but is not limited to, any of the following: 3653

(i) A package, box, or case with multiple compartments, as 3654
long as the loaded magazine or speed loader and the firearm in 3655
question either are in separate compartments within the package, 3656
box, or case, or, if they are in the same compartment, the 3657
magazine or speed loader is contained within a separate enclosure 3658
in that compartment that does not contain the firearm and that 3659
closes using a snap, button, buckle, zipper, hook and loop closing 3660
mechanism, or other fastener that must be opened to access the 3661
contents or the firearm is contained within a separate enclosure 3662
of that nature in that compartment that does not contain the 3663
magazine or speed loader; 3664

(ii) A pocket or other enclosure on the person of the person 3665
in question that closes using a snap, button, buckle, zipper, hook 3666
and loop closing mechanism, or other fastener that must be opened 3667
to access the contents. 3668

(c) For the purposes of ~~division~~ divisions (K)(5)(a) and (b) 3669
of this section, ammunition held in stripper-clips or in en-bloc 3670

clips is not considered ammunition that is loaded into a magazine 3671
or speed loader. 3672

~~(b) With~~ (6) "Unloaded" means, with respect to a firearm 3673
employing a percussion cap, flintlock, or other obsolete ignition 3674
system, when the weapon is uncapped or when the priming charge is 3675
removed from the pan. 3676

~~(6)(7)~~ (7) "Commercial motor vehicle" has the same meaning as in 3677
division (A) of section 4506.25 of the Revised Code. 3678

~~(7)(8)~~ (8) "Motor carrier enforcement unit" means the motor 3679
carrier enforcement unit in the department of public safety, 3680
division of state highway patrol, that is created by section 3681
5503.34 of the Revised Code. 3682

(L) Divisions (K)(5)(a) and (b) of this section do not affect 3683
the authority of a person who is carrying a valid concealed 3684
handgun license to have one or more magazines or speed loaders 3685
containing ammunition anywhere in a vehicle, without being 3686
transported as described in those divisions, as long as no 3687
ammunition is in a firearm, other than a handgun, in the vehicle 3688
other than as permitted under any other provision of this chapter. 3689
A person who is carrying a valid concealed handgun license may 3690
have one or more magazines or speed loaders containing ammunition 3691
anywhere in a vehicle without further restriction, as long as no 3692
ammunition is in a firearm, other than a handgun, in the vehicle 3693
other than as permitted under any provision of this chapter. 3694

Sec. 2953.37. (A) As used in this section: 3695

(1) "Expunge" means to destroy, delete, and erase a record as 3696
appropriate for the record's physical or electronic form or 3697
characteristic so that the record is permanently irretrievable. 3698

(2) "Official records" has the same meaning as in section 3699
2953.51 of the Revised Code. 3700

(3) "Prosecutor" has the same meaning as in section 2953.31 of the Revised Code.

(4) "Record of conviction" means the record related to a conviction of or plea of guilty to an offense.

(B) Any person who is convicted of, was convicted of, pleads guilty to, or has pleaded guilty to a violation of division (B), (C), or (E) of section 2923.16 of the Revised Code as the division existed prior to ~~the effective date of this section~~ September 30, 2011, and who is authorized by division (H)(2)(a) of that section to file an application under this section for the expungement of the conviction record may apply to the sentencing court for the expungement of the record of conviction. The person may file the application at any time on or after ~~the effective date of this section~~ September 30, 2011. The application shall do all of the following:

(1) Identify the applicant, the offense for which the expungement is sought, the date of the conviction of or plea of guilty to that offense, and the court in which the conviction occurred or the plea of guilty was entered;

(2) Include evidence that the offense was a violation of division (B), (C), or (E) of section 2923.16 of the Revised Code as the division existed prior to ~~the effective date of this section~~ September 30, 2011, and that the applicant is authorized by division (H)(2)(a) of that section to file an application under this section;

(3) Include a request for expungement of the record of conviction of that offense under this section.

(C) Upon the filing of an application under division (B) of this section and the payment of the fee described in division (D)(3) of this section if applicable, the court shall set a date for a hearing and shall notify the prosecutor for the case of the

hearing on the application. The prosecutor may object to the 3732
granting of the application by filing an objection with the court 3733
prior to the date set for the hearing. The prosecutor shall 3734
specify in the objection the reasons for believing a denial of the 3735
application is justified. The court shall direct its regular 3736
probation officer, a state probation officer, or the department of 3737
probation of the county in which the applicant resides to make 3738
inquiries and written reports as the court requires concerning the 3739
applicant. The court shall hold the hearing scheduled under this 3740
division. 3741

(D)(1) At the hearing held under division (C) of this 3742
section, the court shall do each of the following: 3743

(a) Determine whether the applicant has been convicted of or 3744
pleaded guilty to a violation of division (E) of section 2923.16 3745
of the Revised Code as the division existed prior to ~~the effective~~ 3746
~~date of this section~~ September 30, 2011, and whether the conduct 3747
that was the basis of the violation no longer would be a violation 3748
of that division on or after ~~the effective date of this section~~ 3749
September 30, 2011; 3750

(b) Determine whether the applicant has been convicted of or 3751
pleaded guilty to a violation of division (B) or (C) of section 3752
2923.16 of the Revised Code as the division existed prior to ~~the~~ 3753
~~effective date of this section~~ September 30, 2011, and whether the 3754
conduct that was the basis of the violation no longer would be a 3755
violation of that division on or after ~~the effective date of this~~ 3756
~~section~~ September 30, 2011, due to the application of division 3757
(F)(5) of that section as it exists on and after ~~the effective~~ 3758
~~date of this section~~ September 30, 2011; 3759

(c) If the prosecutor has filed an objection in accordance 3760
with division (C) of this section, consider the reasons against 3761
granting the application specified by the prosecutor in the 3762
objection; 3763

(d) Weigh the interests of the applicant in having the 3764
records pertaining to the applicant's conviction or guilty plea 3765
expunged against the legitimate needs, if any, of the government 3766
to maintain those records. 3767

(2)(a) The court may order the expungement of all official 3768
records pertaining to the case and the deletion of all index 3769
references to the case and, if it does order the expungement, 3770
shall send notice of the order to each public office or agency 3771
that the court has reason to believe may have an official record 3772
pertaining to the case if the court, after complying with division 3773
(D)(1) of this section, determines both of the following: 3774

(i) That the applicant has been convicted of or pleaded 3775
guilty to a violation of division (E) of section 2923.16 of the 3776
Revised Code as it existed prior to ~~the effective date of this~~ 3777
~~section~~ September 30, 2011, and the conduct that was the basis of 3778
the violation no longer would be a violation of that division on 3779
or after ~~the effective date of this section~~ September 30, 2011, or 3780
that the applicant has been convicted of or pleaded guilty to a 3781
violation of division (B) or (C) of section 2923.16 of the Revised 3782
Code as the division existed prior to ~~the effective date of this~~ 3783
~~section~~ September 30, 2011, and the conduct that was the basis of 3784
the violation no longer would be a violation of that division on 3785
or after ~~the effective date of this section~~ September 30, 2011, 3786
due to the application of division (F)(5) of that section as it 3787
exists on and after ~~the effective date of this section~~ September 3788
30, 2011; 3789

(ii) That the interests of the applicant in having the 3790
records pertaining to the applicant's conviction or guilty plea 3791
expunged are not outweighed by any legitimate needs of the 3792
government to maintain those records. 3793

(b) The proceedings in the case that is the subject of an 3794
order issued under division (D)(2)(a) of this section shall be 3795

considered not to have occurred and the conviction or guilty plea 3796
of the person who is the subject of the proceedings shall be 3797
expunged. The record of the conviction shall not be used for any 3798
purpose, including, but not limited to, a criminal records check 3799
under section 109.572 of the Revised Code or a determination under 3800
section 2923.125 or 2923.1212 of the Revised Code of eligibility 3801
for a ~~license or temporary emergency license to carry a~~ concealed 3802
handgun license. The applicant may, and the court shall, reply 3803
that no record exists with respect to the applicant upon any 3804
inquiry into the matter. 3805

(3) Upon the filing of an application under this section, the 3806
applicant, unless indigent, shall pay a fee of fifty dollars. The 3807
court shall pay thirty dollars of the fee into the state treasury 3808
and shall pay twenty dollars of the fee into the county general 3809
revenue fund. 3810

Section 2. That existing sections 105.41, 109.69, 109.731, 3811
152.08, 311.41, 311.42, 1547.69, 2921.13, 2923.11, 2923.12, 3812
2923.121, 2923.122, 2923.123, 2923.124, 2923.125, 2923.126, 3813
2923.127, 2923.128, 2923.129, 2923.1210, 2923.1211, 2923.1213, 3814
2923.16, and 2953.37 of the Revised Code are hereby repealed. 3815